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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 peremptory 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 2012

Issue #	Rules Due Date	Date of Issue
1	December 27, 2011	January 6, 2012
2	January 3, 2012	January 13, 2012
3	January 9, 2012	January 20, 2012
4	January 17, 2012	January 27, 2012
5	January 23, 2012	February 3, 2012
6	January 30, 2012	February 10, 2012
7	February 6, 2012	February 17, 2012
8	February 14, 2012	February 24, 2012
9	February 21, 2012	March 2, 2012
10	February 27, 2012	March 9, 2012
11	March 5, 2012	March 16, 2012
12	March 12, 2012	March 23, 2012
13	March 19, 2012	March 30, 2012
14	March 26, 2012	April 6, 2012
15	April 2, 2012	April 13, 2012
16	April 9, 2012	April 20, 2012
17	April 16, 2012	April 27, 2012
18	April 23, 2012	May 4, 2012
19	April 30, 2012	May 11, 2012
20	May 7, 2012	May 18, 2012
21	May 14, 2012	May 25, 2012
22	May 21, 2012	June 1, 2012
23	May 29, 2012	June 8, 2012

24	June 4, 2012	June 15, 2012
25	June 11, 2012	June 22, 2012
26	June 18, 2012	June 29, 2012
27	June 25, 2012	July 6, 2012
28	July 2, 2012	July 13, 2012
29	July 9, 2012	July 20, 2012
30	July 16, 2012	July 27, 2012
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39	September 17, 2012	September 28, 2012
40	September 24, 2012	October 5, 2012
41	October 1, 2012	October 12, 2012
42	October 9, 2012	October 19, 2012
43	October 15, 2012	October 26, 2012
44	October 22, 2012	November 2, 2012
45	October 29, 2012	November 9, 2012
46	November 5, 2012	November 16, 2012
47	November 13, 2012	November 26, 2012
48	November 19, 2012	November 30, 2012
49	November 26, 2012	December 7, 2012
50	December 3, 2012	December 14, 2012
51	December 10, 2012	December 21, 2012
52	December 17, 2012	December 28, 2012

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Business Enterprise Program: Contracting with Businesses Owned and Controlled by Minorities, Females and Persons with Disabilities

2) Code Citation: 44 Ill. Adm. Code 10

3)

Section Numbers:	Proposed Action:
10.05	Amendment
10.20	Amendment
10.50	Amendment
10.64	Amendment

4) Statutory Authority: Implementing and authorized by the Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575]

5) A Complete Description of the Subjects and Issues Involved: In Sections 10.05, 10.20, 10.50(d) through (h) and 10.64, the changes reflect Public Act 96-795 that amended the Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575]. The changes are to the State contracting goals for diverse firms, to increase sales limitations for applicants to the Business Enterprise Program and so that minority female applicants select whether their firm is certified as a Female Business Enterprise (FBE) or a Minority Business Enterprise (MBE).

In Section 10.50(b), the certification period changes to 5 years. The change streamlines the certification process and maintains the integrity of the program by continuing to require annual confirmation.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No

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: These proposed amendments neither create nor expand any State mandates.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after the date of publication to:

Mary Matheny
CMS Rules Coordinator
720 Stratton Building
Springfield, IL 62706

217/557-5404

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Minority businesses, female businesses and businesses owned by persons with disabilities

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: January 2012

The full text of the Proposed Amendments begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENTS, AND PROPERTY MANAGEMENT
SUBTITLE A: PROCUREMENT AND CONTRACT PROVISIONS
CHAPTER V: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 10
BUSINESS ENTERPRISE PROGRAM: CONTRACTING WITH BUSINESSES OWNED AND CONTROLLED BY MINORITIES, FEMALES AND PERSONS WITH DISABILITIES

SUBPART A: GENERAL

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10.05 Introduction
10.10 Definitions

SUBPART B: GOAL AND GOAL MEASUREMENT

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10.20 Goal
10.21 Contracts and Expenditures Subject to the Goal
10.22 Categories of Contracts and Expenditures Exempt from Goal
10.23 Council Review of Agency Requests for Specific Exemptions
10.24 Goal Measurement
10.25 Subcontracting

SUBPART C: AGENCY COMPLIANCE AND REPORTING

Section
10.30 Agency Compliance
10.35 Professional and Artistic Contract Reporting

SUBPART D: PROGRAM ELIGIBILITY

Section
10.40 Program Eligibility

SUBPART E: CERTIFICATION

Section

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

10.50 General
10.55 Program Information

SUBPART F: CERTIFICATION REQUIREMENTS AND PROCEDURES

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10.60 Application
10.61 Applicant Requirements
10.62 Time to Determine Eligibility
10.63 Certification by Other Certifying Entities
10.64 Sales Limitation; Exception
10.65 Citizenship/Permanent Residency
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Section
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10.100 Violations by Vendor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing and authorized by the Business Enterprise for Minorities, Females and Persons with Disabilities Act [30 ILCS 575].

SOURCE: Adopted by emergency rulemaking at 22 Ill. Reg. 12584, effective July 1, 1998, for a maximum of 150 days; adopted at 22 Ill. Reg. 20560, effective November 16, 1998; amended at 25 Ill. Reg. 4831, effective March 19, 2001; amended at 26 Ill. Reg. 17980, effective December 6, 2002; amended at 31 Ill. Reg. 4023, effective February 22, 2007; amended at 32 Ill. Reg. 18845, effective November 24, 2008; recodified from 44 Ill. Adm. Code 10, Chapter I to 44 Ill. Adm. Code 10, Chapter V at 35 Ill. Reg. 10142; amended at 36 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 10.05 Introduction

The Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575] (Act) establishes a goal that at least 20%~~12%~~ of contracts awarded by State agencies subject to the Act be awarded to businesses owned and controlled by minorities, females, or persons with disabilities. The Act also authorizes development and use of a procedure to certify firms eligible for the benefits of the Act, allows for certain special treatment in contracting with certified businesses, and establishes a Council, Secretary and, in the Department of Central Management Services, a program function to implement and oversee the Act.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART B: GOAL AND GOAL MEASUREMENT

Section 10.20 Goal

The Council shall, by resolution, establish the contracting goal. In accordance with the Act, not less than 20%~~12%~~ of the total dollar amount of State contracts, as defined in this Part, shall be the goal for awarding contracts to MBEs, FBEs, and PBEs; provided that contracts representing at least 11% shall be awarded to MBEs, contracts representing at least 7% shall be awarded to FBEs and contracts representing at least 2% shall be awarded to PBEs.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART E: CERTIFICATION

Section 10.50 General

a) The certification process verifies that the business is owned and controlled by BEP eligible individuals in accordance with requirements of the Act and this Part. The Secretary to the Council will oversee the certification process. The certification procedure consists of the requirements and procedures outlined in this Section.

b) The Secretary will certify a business firm that meets the requirements of the Act and this Part. All certifications, new and existing, shall be valid for a period of 5~~3~~ years from the effective date of the certification, subject to annual confirmation.

c) Only certified businesses are eligible for the benefits of the Program. Agencies may count only those expenditures with a certified business or certified business subcontractor toward meeting the goal.

d) A business owned and controlled by minority females shall designate whether the business will be certified as FBE or MBE~~shall be certified as a FBE certified business regardless of the ethnicity of the female owners~~.

~~e) For a business to qualify as an MBE certified business, only those minorities who are male may be counted in determining ownership and control.~~

e)~~f)~~ A business owned and controlled at least 51% by any combination of minorities, females and persons with disabilities shall be counted as a business owned and controlled by the eligible group that has the largest percentage of ownership. When there is a tie, the business shall select the eligible group classification.

f)~~g)~~ A business owned and controlled by a person with a disability, or by an entity that is a not-for-profit agency for the disabled, is a PBE certified business regardless of the ethnicity or gender of the owner or owners, or of the governing board.

g)~~h)~~ These classifications facilitate consistent accounting of agency contract awards to businesses covered by the Act. These classifications do not preclude such businesses or not-for-profit agencies from receiving any contract that may be awarded under the Illinois Procurement Code [30 ILCS 500] or other applicable law.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART F: CERTIFICATION REQUIREMENTS AND PROCEDURES

Section 10.64 Sales Limitation; Exception

a) Annual~~Average annual~~ gross sales ~~over the three most recent calendar years~~ must be less than $75~~$31.4~~ million, the statutory maximum established by Section 2(A)(10) of the Business Enterprise for Minorities, Females and Persons with Disabilities Act [30 ILCS 575/2].

1) In determining the annual gross sales, sales of any affiliated business shall also be counted.

2) An affiliated business is one related to the other by virtue of significant commonality of management, or commonality of ownership (at least 5% of one company owned by owner or management personnel of the other). Other factors that may be considered in determining affiliation include, but are not limited to, sharing of office space, workers or equipment.

b) A business with ~~average~~ annual gross sales ~~over the three most recent calendar years~~ equal to or greater than the statutory maximum is eligible to participate in the program if the business can show that, if it were to receive a particular contract or subcontract, there would be a significant impact on employment of minorities, females or persons with disabilities, or in the use of BEP certified subcontractors or suppliers. Such vendors must meet all certification requirements but will not be certified or be listed in the Directory.

1) For the impact to be significant in terms of employment, the business would have to hire new employees to perform the work of the contract and at least 51% of those new hires must be minority, female or persons with disabilities.

2) For the impact to be significant in terms of use of subcontractors or suppliers, the business must direct 51% of the value of the contract to BEP certified vendors as subcontractors or suppliers.~~Such vendors must meet all certification requirements but will not be certified or be listed in the Directory.~~

c) If the business makes contractual commitments regarding hiring or use of subcontractors or suppliers, agrees to appropriate enforcement mechanisms, such as bonding or damage provisions, and meets the other requirements for certification, the Secretary, on behalf of the Council, will approve counting expenditures under that contract toward the agency's goal.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Solicitation for Charitable Payroll Deductions

2) Code Citation: 80 Ill. Adm. Code 2650

3) Section Number: 2650.10 — Proposed Action: Amendment

4) Statutory Authority: Implementing and authorized by Section 9 of the Illinois Personnel Code [20 ILCS 415/9] and Section 5 of the Voluntary Payroll Deductions Act of 1983 [5 ILCS 340/5]

5) A Complete Description of the Subjects and Issues Involved: The SECA Advisory Board, with the support of the charity representatives, requested a change to this Part to permit the Director of CMS to appoint State employee representatives to more than three years of membership. This change was felt to be an asset in developing the knowledge of the Board members and provide for more continuity on program development as new Board members are appointed.

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: These proposed amendments neither create nor expand any State mandate on units of local government, school districts or community college districts.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after the date of publication to:

Mary Matheny
Department of Central Management Services

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

720 Stratton Office Building
Springfield, Illinois 62706

Phone: 217/557-5404
Fax: 217/558-2697
mary.matheny@illinois.gov

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: January 2012

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE G: PAYROLL DEDUCTIONS
CHAPTER III: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 2650
SOLICITATION FOR CHARITABLE PAYROLL DEDUCTIONS

Section

2650.1 Definitions
2650.5 Entitlement
2650.10 Organization
2650.15 Annual Drive
2650.20 Recognition
2650.25 Request to Solicit Employees or Annuitants
2650.30 Prohibitions
2650.40 Code of Campaign Conduct
2650.50 Violation of Code of Campaign Conduct
2650.60 Committee on Campaign Conduct
2650.70 Allocation of Expenses to SECA Participants Membership

AUTHORITY: Implementing and authorized by Section 9 of the Illinois Personnel Code [20 ILCS 415/9] and Section 5 of the Voluntary Payroll Deductions Act of 1983 [5 ILCS 340/5].

SOURCE: Emergency rules adopted at 12 Ill. Reg. 6975, effective April 1, 1988, for a maximum of 150 days; emergency repealer adopted at 12 Ill. Reg. 10191, effective June 10, 1988, for a maximum of 150 days; adopted at 13 Ill. Reg. 3330, effective March 6, 1989; amended at 16 Ill. Reg. 11438, effective July 6, 1992; amended at 18 Ill. Reg. 3115, effective February 22, 1994; amended at 21 Ill. Reg. 11532, effective August 1, 1997; amended at 26 Ill. Reg. 5761, effective April 4, 2002; amended at 29 Ill. Reg. 2244, effective February 1, 2005; amended at 29 Ill. Reg. 20661, effective December 7, 2005; amended at 36 Ill. Reg. _____, effective _____.

Section 2650.10 Organization

a) The Director shall have general administrative and policy authority regarding SECA.

b) An Advisory Board to assist in implementing and regulating the State and University Employees Combined Appeal (SECA) is established under the

chairmanship of the Director (or his/her designee).

1) The following persons shall be invited to be members of the Advisory Board: five or more State employees "at large" representing employee interests; the prior year's SECA chairperson; the Lieutenant Governor or his/her designee; a representative of a State employee labor organization; a representative from a Retirement System; and the appointed SECA Chairperson for the current year. The at-large members and the labor organization representative shall be appointed by the Director.

2) ~~No~~ State employee members shall serve a~~more than~~ three-year term ~~consecutive one-year terms~~. State employee members may serve no more than two consecutive three-year terms.

3) The Advisory Board shall meet at least quarterly.

4) The function of the Advisory Board is to advise the Director on SECA matters, including:

A~~1~~) Discussion and planning of the administration and conduct of the annual campaign.

B~~2~~) Review of combined campaign materials, educational programs, publicity efforts, campaign goals and recognition-award programs.

C~~3~~) Selection process for SECA coordinators.

D~~4~~) Verification of continuing eligibility through the Comptroller's Office.

E~~5~~) Candidate search and presentation of any proposed third party manager to the Qualified Charitable Organizations for approval and establishment of proposed duties of any third party manager.

F~~6~~) Any other issues determined to be consistent with the functions of the Advisory Board.

5) A representative from each Qualified Charitable Organization may attend and speak at each Advisory Board meeting, but shall not have a vote on the Advisory Board.

c) A chairperson for each annual SECA shall be appointed by the Governor. The chairperson shall serve on the Advisory Board to assist the Director on functions specified in subsections (b)(4)(B) and (C)~~(2) and (b)(3)~~. Each chief officer shall appoint an executive coordinator for each annual campaign. SECA coordinators or other agency employees shall be permitted work time to perform their responsibilities, including campaign briefings and training, distribution of literature, collection of pledge cards, telephone and contact with representatives of the Qualified Charitable Organizations. SECA coordinators will be permitted to request liaisons to assist where an agency has multiple worksites. SECA liaisons will be given time to meet with their coordinator for training and related events. Any State employee who volunteers for a charity event shall contribute time solely during non-work hours.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

DEAF AND HARD OF HEARING COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Interpreter for the Deaf Licensure Act of 2007

2) Code Citation: 68 Ill. Adm. Code 1515

3)

Section Numbers:	Proposed Action:
1515.80	Amended
1515.105	New Section

4) Statutory Authority: Implementing and authorized by Section 50 of the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443]

5) A Complete Description of the Subjects and Issues Involved: The rulemaking proposes creation of a mentorship program for current licensed sign language interpreters to work one level above current proficiency level when in an IDHHC approved Mentor/Mentee relationship.

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 Objective: The rulemaking will not create or enlarge 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 proposed rulemaking in writing within 45 days after publication of this Notice to:

Tonia R. Bogener
Legal Counsel
Illinois Deaf and Hard of Hearing Commission
1630 S. Sixth Street
Springfield, Illinois 62703

217/557-4495 (voice/tty)
tonia.bogener@illinois.gov

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Sign language interpreters engaging in a supervised relationship as either a Mentee or Mentor.

B) Reporting, bookkeeping or other procedures required for compliance: Yes

C) Types of Professional skills necessary for compliance: Interpreting for the deaf and hard of hearing

14) Regulatory Agenda on which this rulemaking was summarized: January 2012

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

DEAF AND HARD OF HEARING COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER IX: DEAF AND HARD OF HEARING COMMISSION

PART 1515
INTERPRETER FOR THE DEAF LICENSURE ACT OF 2007

Section
1515.10 Definitions
1515.20 Jurisdiction
1515.30 Application for Licensure
1515.40 Application for Provisional Licensure
1515.50 Accepted Certificates
1515.60 Renewals
1515.70 Licensure Fees
1515.80 Continuing Education
1515.90 Proficiency Levels
1515.100 Supervision
1515.105 Supervision of Performance
1515.110 Inactive Status
1515.120 Restoration
1515.130 Standards of Professional Conduct
1515.140 Granting Variances

AUTHORITY: Authorized by Section 50(b) of the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443/50(b)].

SOURCE: Adopted at 32 Ill. Reg. 18853, effective November 24, 2008; amended at 35 Ill. Reg. 4775, effective March 14, 2011; amended at 36 Ill. Reg. _____, effective _____.

Section 1515.80 Continuing Education

a) Continuing Education Requirements

1) One Continuing Education (CE) hour shall be equal to one clock hour of attendance. After completion of the initial CE hour, credit may be given in one-half hour increments. Lunch hours, socials and breaks do not count towards CE hours.

2) A prerenewal period is the 12 month period proceeding January 1 of each year.

3) A renewal applicant shall not be required to comply with CE requirements for the 1st renewal period. This exemption applies only for a single renewal period, including the transition from a provisional license to a general license.

4) Every licensee who applies for renewal of a license as a sign language interpreter for the deaf for 2011 shall complete within the prerenewal period 12 hours of CE relevant to the practice of sign language interpreting.

5) Every licensee who applies for renewal of a license as a sign language interpreter for the deaf for 2012 shall complete within the prerenewal period 16 hours of CE relevant to the practice of sign language interpreting.

6) Beginning with the 2013 license renewal, every licensee who applies for renewal of a license as a sign language interpreter for the deaf shall complete within the prerenewal period 20 hours of CE relevant to the practice of sign language interpreting.

7) Interpreters licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.

8) CE hours used to satisfy the CE requirement of another jurisdiction may be applied to fulfill the Illinois CE requirements if they meet the requirements of this Section.

9) Upon proof of successful completion, courses that are part of the curriculum of an accredited university, college or other educational institution relating to interpreting shall have the following contact hours:

   A) Semester system courses – 1 credit hour = 15 CE hours; and

   B) Quarter system courses – 1 credit hour = 10 CE hours.

10) Upon proof of successful completion of the Commission's prescribed mentoring program pursuant to Section 1515.105, a licensed interpreter can earn up to 10 CE hours a year. CE hours can only be earned for the initial completion of the Commission's mentoring program between the Mentor and Mentee. Neither the Mentor nor Mentee can earn CE hours for repeated mentoring relations with the same Mentor/Mentee relationship.

b) Carryover of CE Hours

1) An interpreter may carry over a maximum of 50% of the required CE hours from the time he or she is licensed until the first renewal requiring CE; and

2) If an interpreter earns more than the CE hours required during a renewal period, the interpreter can carry over into the next renewal period a maximum of 50% CE hours required for that renewal period.

c) Certification of Compliance with CE Requirements

1) Applicants shall certify on the renewal application full compliance with CE requirements set forth in subsection (a).

2) The Commission may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of attendance). This additional evidence may be required in the context of the Commission's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.

3) Applicants shall maintain for three years after the end of the relevant reporting period certificates of attendance received pursuant to subsection (d); proof of completion of continuing education required by another jurisdiction, if deemed sufficiently equivalent by the Commission; or transcripts indicating successful completion of a course described in subsection (e)(6) or (7) delivered by a college or university.

4) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing. At that time, the Commission may refuse to renew an interpreter's license or refer the application to the

Department of Financial and Professional Regulation for disciplinary action as allowed by Section 115 of the Act.

d) Approved Continuing Education
CE hours shall be earned by verified attendance (e.g., certificate of attendance or certificate of completion) at or participation in a program or course that is offered or sponsored by an approved CE sponsor that meets the requirements set forth in subsection (e), except for those activities provided in subsection (a).

e) Approved CE Sponsors and Programs

1) Approved sponsor, as used in this Section, shall mean:

A) Approved CMP sponsors for the Registry for Interpreters for the Deaf (RID);

B) Illinois Deaf and Hard of Hearing Commission; and

C) Any other person, firm, association, corporation or group that has been approved and authorized by the Commission pursuant to subsection (e)(2) of this Section, upon the recommendation of the Board, to coordinate and present CE courses or programs.

2) Entities seeking approval as a CE sponsor pursuant to subsection (e)(1) shall file a sponsor application, along with the required fee of $150. (State agencies and State colleges and universities shall be exempt from paying this fee.) The applicant shall certify to the following:

A) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (e)(3) and all other criteria in this Section. A sponsor shall be required to submit a CE program with course materials for review prior to being approved as a CE sponsor;

B) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (e)(10);

C) That, upon request by the Commission, the sponsor will submit evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Evidence shall be required when the Commission has reason to believe that there is not full compliance with this Section and that this information is necessary to ensure compliance.

3) All programs shall:

A) Contribute to the advancement, extension and enhancement of the professional skill and knowledge of the licensee;

B) Foster the enhancement of general or specialized interpreting practice and values;

C) Be developed and presented by a person with education and/or experience in the subject matter of the program;

D) Specify the course objectives, course content and teaching methods to be used; and

E) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.

4) To maintain approval as an approved sponsor, each sponsor shall submit to the Commission by each odd-numbered year a renewal application, the renewal fee of $100 and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given.

5) Presenters of workshops or training can receive CE hours equal to 1 hour for each hour of presentation. CE hours can only be earned for the initial presentation of a workshop. A presentation abstract must be submitted and approved by an approved CE sponsor 30 days prior to the event.

6) Each CE program shall provide a mechanism for evaluation of the program by the participants.

7) All programs given by approved sponsors shall be open to all licensed sign language interpreters for the deaf and not be limited to members of a single organization or group.

8) It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The certificate shall contain:

A) The name, address and license number of the sponsor;

B) The name and license number of the participant;

C) A brief statement of the subject matter;

D) The number of contact hours attended in each program;

E) The date and place of the program; and

F) The signature of the sponsor.

9) The sponsor shall maintain attendance records for not less than 5 years.

10) The sponsor shall be responsible for assuring that a renewal applicant does not receive CE credit for time not actually spent attending the program.

11) Upon the failure of a sponsor to comply with any of the requirements of this Section, the Commission, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall refuse to accept attendance at or participation in any of that sponsor's CE programs until such time as the Commission receives assurances of compliance with this Section.

12) Notwithstanding any other provision of this Section, the Commission or the Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with the requirements of this Section.

f) Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with CE requirements, the Commission shall restore the license upon payment of the fee required by Section 1515.70.

g) Waiver of CE Requirements

1) Any applicant seeking renewal of a license without having fully complied with the CE requirements of this Section shall file with the Commission a renewal application, along with the fee required by Section 1515.70, a statement setting forth the facts concerning non-compliance, and a request for waiver of all or part of the CE requirements on the basis of those facts. A request for waiver shall be made prior to the renewal date. If the Commission, upon the written recommendation of the Board, finds from the application or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Commission shall waive enforcement of the CE requirements for the renewal period for which the applicant has applied.

2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient contact hours to fulfilling the CE requirements during the applicable prerenewal period because of:

A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;

B) An incapacitating illness documented by a statement from a currently licensed physician;

C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or

D) Any other similar extenuating circumstances.

3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final decision on the application is made by the Commission.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1515.105 Supervision of Performance

a) A currently licensed interpreter may work one level above his or her current proficiency level when under the direct supervision of a current Illinois licensed interpreter with either an Advanced or Master proficiency level, involving a mentoring program as approved by the Commission.

b) Direct supervision, as applied to this Section, means the supervising interpreter (Mentor) with a valid license is on-site, in a position to view and offer guidance while an assigned activity is performed by the licensed interpreter working outside of his or her proficiency level (Mentee) as prescribed by Section 1515.90.

c) Assigned activities performed by the Mentee shall be within the scope of the Mentor's current proficiency level.

d) The Mentor shall maintain the final responsibility for the accuracy of the interpretation and the performance of the Mentee.

e) The Mentor may supervise no more than two Mentees at one time.

f) The following is not acceptable supervision of a licensed interpreter:

1) Peer supervision (supervision by a person of equivalent but not superior proficiency level); and

2) Supervision by current or former family members or any other person with whom the personal relationship prevents, or makes difficult, the establishment of a supervisory relationship.

g) The following protocols shall be followed in order for the Mentee to work under the direct supervision of the Mentor:

1) Completion of all forms prescribed by the Commission accompanied by the appropriate documentation and the required nonrefundable fee;

2) The Mentee shall not replace a required team interpreter and shall not be compensated;

3) Written consent must be submitted by the client prior to the assignment; and

4) Written or oral consent must be received from the deaf or hard of hearing consumer at the start of the assignment. If the deaf or hard of hearing consumer does not consent, the Mentee will not provide interpreting services and will depart from the assignment unless the assignment is at a public venue.

(Source: Added at 36 Ill. Reg. _____, effective _____)

EXECUTIVE ETHICS COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Organization, Information, Rulemaking and Hearings

2) Code Citation: 2 Ill. Adm. Code 1620

3)

Section Numbers:	Proposed Action:
1620.320	Amend
1620.330	Amend
1620.530	Amend
1620.610	Amend
1620.1300	New Section
1620.1310	New Section
1620.1320	New Section
1620.1330	New Section
1620.1340	New Section
1620.1350	New Section
1620.1360	New Section
1620.1370	New Section
1620.1380	New Section
1620.1390	New Section
1620.1400	New Section
1620.1410	New Section
1620.1420	New Section
1620.1430	New Section
1620.1440	New Section
1620.1450	New Section
1620.1460	New Section
1620.1470	New Section
1620.1480	New Section

4) Statutory Authority: Implementing and authorized by Sections 20-5, 20-50 and 20-55 of the State Officials and Employees Ethics Act [5 ILCS 430/20-5, 20-50 and 20-55], Section 2002 of the Fiscal Control and Internal Auditing Act [30 ILCS 10/2002], and Section 10-10, 10-5, and 10-20 of the Illinois Procurement Code [30 ILCS 500/ 10-10, 10-15, 10-20 and 50-39] and authorized by Section 20-15 of the State Officials and Employees Ethics Act [5 ILCS 430/20-15] and Sections 10-5 and Art.10 of the Illinois Administrative Procedure Act [5 ILCS 100/10-5 and Art.10]

5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to clarify issues related to the Commission's imposition of fines pursuant to the State

Officials and Employees Ethics Act and the revolving door provisions, and to establish procedures for the removal of Chief Internal Auditors, Chief Procurement Officers, Procurement Compliance Monitors and State Purchasing Officers. Changes include specifying the factors the Commission relies upon in determining penalties it may assess for violations of the Act, specifying additional detail in the notification to the Executive Inspector General by an employee subject to the revolving door notification provisions prior to accepting non-State employment, requiring notice to the appropriate Executive Inspector General of pending non-State employment by individuals in positions subject to revolving door prohibitions, specifies the applicability of the fine provisions under the Act for failure to provide notice as required by the revolving door provisions of the Act. The changes establish detailed procedures to ensure due process in the discharge of chief internal auditors, chief procurement officers, procurement compliance monitors, and state purchasing officers.

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 Objective: This rulemaking does not affect units of local government.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be forwarded to:

Chad D. Fornoff, Executive Director
Executive Ethics Commission
401 S. Spring Street
Wm. Stratton Building, Room 513
Springfield, IL 62706

217/558-1393

EXECUTIVE ETHICS COMMISSION

NOTICE OF PROPOSED AMENDMENTS

All written comments filed within 45 days after the date of publication of this Notice will be considered.

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: These proposed amendments were not included on either of the 2 most recent agendas.

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

EXECUTIVE ETHICS COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER VI: EXECUTIVE ETHICS COMMISSION

PART 1620
ORGANIZATION, INFORMATION, RULEMAKING AND HEARINGS

SUBPART A: ORGANIZATION

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1620.5 Definitions
1620.10 Composition of Executive Ethics Commission
1620.20 Officers
1620.30 Appointment of Executive Director
1620.40 Duties of Executive Director
1620.50 Duties of Staff

SUBPART B: INFORMATION

Section
1620.110 Requests for Records
1620.120 Response to Requests for Records
1620.130 Appeal of a Denial (Repealed)
1620.140 Copies of Public Records − Fees
1620.150 Materials Immediately Available

SUBPART C: RULEMAKING

Section
1620.200 Rulemaking Procedures

SUBPART D: INVESTIGATIONS

Section
1620.300 Conduct of Investigations
1620.310 State Officer or Employee Case Initiation Form
1620.320 Case Initiation Form − Contents
1620.330 Opening an Investigation File
1620.340 Referral to the Appropriate Executive Inspector General

EXECUTIVE ETHICS COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1620.350 Investigations
1620.360 Investigations Not Concluded Within Six Months (Repealed)

SUBPART E: HEARINGS

Section
1620.420 Attorney of Record
1620.430 Filing Requirements
1620.440 Complaint
1620.450 Complaint − Required Provisions
1620.460 Service
1620.470 Objections
1620.480 Sufficiency of the Complaint
1620.490 Discovery
1620.500 Subpoenas
1620.510 Motions
1620.520 Hearings
1620.530 Decision of the Commission

SUBPART F: REVOLVING DOOR PROHIBITION

Section
1620.610 Revolving Door Prohibition
1620.620 Waiver of Revolving Door Prohibition − Commission Procedure (Repealed)
1620.630 Finality of Decision (Repealed)
1620.640 Waiver of Prohibition of Executive Inspector General Employees as Judicial Appointee
1620.650 Waiver of Prohibition of Executive Inspector General Employees as Judicial Appointee − Commission Procedure

SUBPART G: GIFT BAN

Section
1620.700 Gift Ban

SUBPART H: MISCELLANEOUS FILINGS

Section
1620.800 Personnel Policies

EXECUTIVE ETHICS COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1620.810 Quarterly and Six-Month Status Reports
1620.820 Ex Parte Communications
1620.825 Communications Related to Procurement
1620.830 Designation of Ethics Officer

SUBPART I: ETHICS TRAINING

Section
1620.900 Ethics Training

SUBPART J: RELEASE OF INVESTIGATION REPORTS

Section
1620.1000 Investigation Reports Finding a Violation
1620.1010 Investigation Reports Finding No Violation
1620.1020 Release of Summary Reports

SUBPART K: DISCIPLINARY ACTION

Section
1620.1100 Disciplinary Action under the Ethics Act
1620.1110 Hearings to Contest Disciplinary Actions

SUBPART L: PROCUREMENT CODE CONFLICTS OF INTEREST EXEMPTIONS

Section
1620.1200 Procurement Code Conflicts of Interest Exemptions

SUBPART M: ACTIONS FOR REMOVING AND DISCIPLINING CERTAIN OFFICERS

Section
1620.1300 Purpose
1620.1310 Instituting a Complaint for Removal or Discipline
1620.1320 Service of Process, Notice
1620.1330 Contents of the Complaint and Amendments
1620.1340 Objections to Sufficiency of Complaint
1620.1350 Sufficiency of the Complaint
1620.1360 Cause for Discharge or Discipline
1620.1370 Discovery

1620.1380 Subpoenas
1620.1390 Motions
1629.1400 Order of Evidentiary Hearing
1620.1410 Public Hearing
1620.1420 Proposal for Decision and Response
1620.1430 Decision of the Commission
1620.1440 Administrative Law Judge
1620.1450 Authority of Administrative Law Judge
1620.1460 Appearances − Representation
1620.1470 Record of Proceedings
1620.1480 Service of Pleadings

AUTHORITY: Implementing and authorized by Sections 20-5, 20-50 and 20-55 of the State Officials and Employees Ethics Act [5 ILCS 430/20-5, 20-50 and 20-55], Section 2002 of the Fiscal Control and Internal Auditing Act [30 ILCS 10/2002], and Section 10-10, 10-5, and 10-20 of the Illinois Procurement Code [30 ILCS 500/ 10-10, 10-15, 10-20, and 50-39] and authorized by Section 20-15 of the State Officials and Employees Ethics Act [5 ILCS 430/20-15] and Section 10-5 of the Illinois Administrative Procedure Act [5 ILCS 100/10-5].

SOURCE: Adopted by emergency rulemaking at 29 Ill. Reg. 3340, effective February 23, 2005, for a maximum of 150 days; adopted at 29 Ill. Reg. 9619, effective July 1, 2005; amended at 32 Ill. Reg. 7099, effective July 1, 2008; amended at 34 Ill. Reg. 13108, effective August 27, 2010; amended at 34 Ill. Reg. 19507, effective December 6, 2010; emergency rulemaking at 35 Ill. Reg. 563, effective January 1, 2011, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 35 Ill. Reg. 3797, effective February 17, 2011, for the remainder of the 150 days; amended at 35 Ill. Reg. 7308, effective April 21, 2011; amended at 36 Ill. Reg. _____, effective _____.

SUBPART D: INVESTIGATIONS

Section 1620.320 Case Initiation Form − Contents

The case initiation form shall set out:

a) the name of the employee or officer who is alleged to have committed misconduct;

b) the identity of the State agency by which the employee or officer is employed;

c) the name, address and telephone number of the complainant, unless filed anonymously;

d) the date and time of the alleged misconduct;

e) a description of the acts and circumstances that surrounded the alleged misconduct;

f) the names of any other person who witnessed or participated in the alleged misconduct;

g) an address to which the completed form may be mailed;

h) a statement of the confidentiality of the identity of the complainant (see 5 ILCS 430/20-90(a));

i) a statement that penalties may be applied for intentionally making a false report alleging an ethics violation (see 5 ILCS 430/50-5(d)); and

j) such other information that the Executive Inspector General reasonably requires.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1620.330 Opening an Investigation File

a) Upon deciding to open an investigation file in accordance with Section 1620.300(c)(4)(B), the Executive Inspector General shall promptly create an investigation file and assign the file a unique tracking number. Multiple case initiation forms that relate to the same alleged acts of misconduct may be consolidated for purposes of investigation. In the absence of a completed case initiation form, the Executive Inspector General may create an investigation file and assign the file a unique tracking number if~~, upon information received and not upon his or her own prerogative,~~ the Executive Inspector General reasonably believes that misconduct may have occurred within the Executive Inspector General's jurisdiction. Investigations that have been closed and are reopened, involving the same alleged wrongdoing by at least one of the same persons who was the subject of the original complaint, shall be identified by the same tracking number as the initial investigation. All time limits stated in this Part shall be applied from the date of the original complaint.

b) The investigation file shall contain the case initiation form, or if none, so much of the information that would normally appear on the case initiation form as is known to the Executive Inspector General at the inception of the matter.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART E: HEARINGS

Section 1620.530 Decision of the Commission

a) Within 60 days after the hearing or after briefs are due, whichever is later, the Commission shall enter a decision.

b) When the Commission is determining an appropriate fine pursuant to Section 50-5 of the Act after a finding of liability, the Commission may consider the following mitigating and aggravating factors:

1) nature of violations;

2) the scope of the violation or scheme of violations;

3) the use of title or position;

4) the extent of the use of resources, money, time to the State;

5) for violations that do not require a finding of knowledge or intent, the extent of an employee's intent or knowledge;

6) premeditation;

7) the duration of any series of violations;

8) position of authority;

9) involvement of others;

10) self-disclosure;

11) cooperation;

12) prior disciplinary record or Ethics Act violation; and

13) years of service and type of service with the State.

c) *The decision shall include a description of the alleged misconduct, the decision of the Commission, including any fines levied and any recommendation of discipline and the reasoning for that decision.* [5 ILCS 430/20-55(a)]

d)~~c)~~ Decisions of the Commission shall be signed by at least five commissioners.

e)~~d)~~ *All decisions shall be sent to the parties,* including *the Executive Inspector General, the ultimate jurisdictional authority, the head of the appropriate State agency* and the Attorney General. [5 ILCS 430/20-55(a)]

f)~~e)~~ Once a complaint has been filed with the Commission, any proposed settlement reached by the parties must be submitted to the Commission for review and approval.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART F: REVOLVING DOOR PROHIBITION

Section 1620.610 Revolving Door Prohibition

a) *Within* 6 *months* after *the effective date of PA 96-555 (August 18, 2009), each executive branch constitutional officer shall adopt a policy delineating which State positions under his or her jurisdiction and control, by the nature of their duties, may have the authority to participate personally and substantially in the award of State contracts or in regulatory or licensing decisions. These policies shall be filed with the Commission* and appropriate Executive Inspector General. [5 ILCS 430/5-45(c)]

b) No later than June 1, 2010, and annually thereafter, *each Executive Inspector General shall report to the Commission his or her determination of any additional State positions under his or her jurisdiction, not otherwise subject to the policies required by* Section *5-45(c)* of the Act, *that are nonetheless subject to the*

notification requirement of Section *5-45(f) due to their involvement in the award of State contracts or in regulatory or licensing decisions.* [5 ILCS 430/5-45(d)]

c) *Any State employee in a position subject to the policies required by subsection 5-45(c) or a determination of* Section *5-45(d)* of the Act*, but who does not fall within the prohibition of* Section *5-45(h), who is offered non-State employment during State employment or within a period of one year immediately after termination of State employment shall, prior to accepting such non-State employment, notify the appropriate Executive Inspector General.* [5 ILCS 430/5-45(f)] The employee's notification to the appropriate Executive Inspector General must include:

1) the employee's name;

2) a description of the positions the employee held in State government in the last 12 months, including the title, responsibilities, and employing State agency or agencies;

3) the title, description and responsibilities of the prospective employment position;

4) the name, description, ownership, corporate structure including its parent and any subsidiaries, and contact information of the prospective employer;

5) in the case of self-employment, the employee's initial submission shall include a list of known clients with which the employee or his/her business intends to contract. The employee must update this list when he/she or his/her company contracts with a new client and must submit the names of each additional client to both the former employee's Ethics Officer and the appropriate Inspector General. A review under Section 5-45(f) of the Act is only required for the initial submission.

6) a statement from the Ethics Officer or Officers of the State agency or agencies employing the employee in the last 12 months that identifies any contracts the prospective employer, or its parent or subsidiaries have had with the State agency or agencies in the last 12 months, the amounts of those contracts, any regulatory or licensing decisions made by the State agency or agencies in the last 12 months that applied to the prospective employer or its parent or subsidiary, whether the employee was involved

in any regulatory, licensing or contracting decisions regarding the prospective employer or its parent or subsidiary within the last 12 months, and if the employee was involved, a description of that involvement. If the Ethics Officer is the employee seeking the determination or is unable for any reason to provide this statement, the Executive Inspector General may consider a statement provided by another appropriate employee or officer. The statement from the ethics officer must be submitted to the appropriate Executive Inspector General within 5 calendar days after receiving notification from the employee.

d) *Within 10 calendar days after receiving notification from an employee or officer in a position subject to policies required by subsection (a)* of this Section*, such Executive Inspector General shall make a determination as to whether the State employee is restricted from accepting such employment by* Section *5-45(a) or (b)* of the Act. *Such a determination must be in writing, signed and dated by the Executive Inspector General, and delivered to the subject of the determination within 10 calendar days.* [5 ILCS 430/5-45(f)]

e) *A copy of such a determination shall also be forwarded to the ultimate jurisdictional authority, the Attorney General and the Commission.* [5 ILCS 430/5-45(g)] If an Executive Inspector General fails to make a determination within 10 calendar days after receiving a notification described in subsections (e) and (d), the EIG shall report this failure to the Attorney General and Commission immediately.

f) *An Executive Inspector General's determination may be appealed to the Commission by the person subject to the determination or the Attorney General no later than the 10th calendar day after the date of the determination.* [5 ILCS 430/5-45(g)]

1) The appeal filed with the Commission shall contain a copy of the Executive Inspector General's written determination and a verified statement that explains the basis for arguing that the determination was in error. Copies of the appeal shall be sent to the relevant Executive Inspector General and shall also be sent to the subject of the determination, if filed by the Attorney General, or the Attorney General, if filed by the subject of the determination.

2) Any objection to the appeal by the subject of the determination or by the Attorney General shall be filed with the Commission within 5 calendar days after the filing, unless the Commission grants an extension of time.

3) *The Commission shall seek, accept and consider written public comments regarding a determination.* A copy of the appeal will be posted on the Commission's web site and be posted at the Commission's offices, with instructions on how written public comments may be forwarded to the Commission for consideration. *The Commission shall assess, in addition to any other relevant information, the effect of the prospective employment or relationship upon the decisions referred to in* Section *5-45(a) or (b)* of the Act*, based upon the totality of the participation by the former officer or employee in those decisions.* [5 ILCS 430/5-45(g)~~5 ILCS 5-45(g)~~]

4) The Commission shall decide whether to uphold an Executive Inspector General's determination within 10 calendar days after receiving the appeal. Copies of the Commission's decision shall be sent to the former officer or employee, the Attorney General, the relevant Executive Inspector General, and the ultimate jurisdictional authority.

g) *Any State employee in a position subject to the policies required by* Section *5-45(c) or a determination of* Section *5-45(d)* of the Act*, who is offered non-State employment during State employment or within a period of one year immediately after termination of State employment,* but fails to provide the required notice set forth in subsection (c)*, shall be subject to a fine pursuant to Section 50-5(e)* of the Act [5 ILCS 430/5-45(f)].

h) Any State employee's or officer in a position subject to the policies required by Section 5-45(h) of the Act, who accepts non-State employment during State employment or within a period of one year immediately after termination of State employment shall, prior to accepting such non-State employment, notify the appropriate Executive Inspector General of his or her non-State employment. The employee or officer's notification to the appropriate Executive Inspector General must include:

1) the employee's or officer's name;

2) a description of the positions the employee or officer held in State government in the last 12 months, including the title, responsibilities and employing State agency or agencies;

3) the title, description and responsibilities of the non-State employment position;

4) the name, description, ownership, corporate structure, including parent and any subsidiaries, and contact information of the prospective employer;

5) in the case of self-employment, a list of known clients with which the employee or officer or his/her business intends to contract. This information shall be included in the employee's or officer's initial submission. The employee, officer or member must update this list when he/she or his/her company contracts with a new client and submit the names of each additional client to both the former employee's or officer's Ethics Officer and the appropriate Inspector General.

i) Any employee or officer who receives offers of non-State employment during State employment or within a period of one year immediately after termination of State employment and who is concerned about the effect of accepting the employment offer vis-à-vis the revolving door prohibition may seek a determination as provided in this Section.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART M: ACTIONS FOR REMOVING AND DISCIPLINING CERTAIN OFFICERS

Section 1620.1300 Purpose

Chief Procurement Officers (CPOs), State Purchasing Officers (SPOs), Procurement Compliance Monitors (PCMs), and Chief Internal Auditors are appointed to five year terms and are subject to removal or, in the case of Chief Procurement Officers, discipline only after a hearing by or before the Executive Ethics Commission. These hearings are to be held in accordance with the contested case provisions of the Illinois Administrative Procedure Act [5 ILCS 100/Art.10] and the provisions of this Subpart M.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1310 Instituting a Complaint for Removal or Discipline

a) Cases may be commenced only by the filing of a complaint with the Commission as follows:

1) For removal or discipline of CPOs, by the Governor or the director of a State agency directly responsible to the Governor (see 30 ILCS 500/10-20(b));

2) For removal of SPOs, by the CPO or the executive officer of the State agency housing the SPO or to which the SPO has been assigned (see 30 ILCS 500/10-10);

3) For removal of PCMs, by the appropriate CPO or executive officer of the State agency housing the PCM or to which the PCM has been assigned (see 30 ILCS 500/10-15);

4) For removal of Chief Internal Auditors, by the chief executive officer of one of the appropriate designated State agencies, as these terms are defined in the Fiscal Control and Internal Auditing Act [30 ILCS 10].

b) The parties shall be designated as follows: the complaining officer shall be designated as the complainant and the person who is the subject of the complaint shall be designated as the respondent. In all such cases, the complaining officer shall be represented by the Attorney General.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1320 Service of Process, Notice

a) After filing a complaint with the Commission, a complainant shall serve a file-stamped copy on each respondent in the same manner as process is served under Part 2 (Process of the Civil Practice Law of the Code of Civil Procedure) [735 ILCS 5/Art. II, Part 2]. The complainant shall file the proof of service with the Commission.

b) The Commission shall forward copies of complaints filed under this Section and any notices of evidentiary hearings to certain persons, if not parties, as follows:

1) For removal or discipline of CPOs, to the Governor (see 30 ILCS 500/10-20);

2) For removal of SPOs, to the CPO and the executive officer of the State agency housing the SPO or to which the SPO has been assigned (see 30 ILCS 500/10-10);

3) For removal of PCMs, to the appropriate CPO and the executive officer of the State agency housing the PCM or to which the PCM has been assigned (see 30 ILCS 500/10-15).

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1330 Contents of the Complaint and Amendments

a) The complaint must contain charges that are specific enough to apprise the respondent of the nature and substance of the cause alleged for removal. If a breach of a statutory duty or a rule is alleged, the specific statute or rule shall be cited in connection with the charge.

b) Charges shall be set forth in separate paragraphs and contain the dates, names of persons, places and information reasonably calculated to apprise the respondent of the allegations that are the basis of the complaint.

c) At any time prior to commencement of hearing or prior to the close of hearing, the Administrative Law Judge may, upon motion of a party, permit amendment of the complaint if no undue surprise results that would prejudice the opposing party's right to a prompt hearing or impose an injustice on either side.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1340 Objections to Sufficiency of Complaint

A respondent may file written objections contesting the sufficiency of the complaint within 15 days after service. For good cause, the Administrative Law Judge may grant an extension of time. If the respondent fails to object to the complaint, a general denial of the facts set forth in the complaint shall be considered filed.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1350 Sufficiency of the Complaint

a) Within 60 days after the time for respondent to file an objection to the complaint has expired, the Commission shall meet in person or by telephone in a closed session to review the sufficiency of the complaint. If the Commission finds that the complaint is sufficient, the Commission shall notify the parties via certified mail, return receipt requested, of the decision. The notice shall include an evidentiary hearing date scheduled within four weeks after the date of the notice. The Commission may grant, for good cause shown, a continuance of the evidentiary hearing date contained in the notice. If the Commission finds that the complaint is insufficient for any reason, the Commission shall notify the parties via certified mail, return receipt requested, of the decision.

b) A complaint is sufficient if it complies with Section 1620.1330 and if it contains allegations of fact that, if proven, constitute cause for discharge.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1360 Cause for Discharge or Discipline

a) Cause for discharge consists of some substantial shortcoming that renders the respondent's continuance in his or her position in some way detrimental to the discipline and efficiency of the service and that the law and sound public opinion recognize as good cause for the respondent no longer holding the position.

b) In determining the appropriate level of discipline for a CPO, the Commission shall consider the respondent's performance record, including disciplinary history, and the respondent's length of continuous service, unless the offense would warrant immediate discharge in accordance with subsection (a).

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1370 Discovery

Discovery shall be obtained through the following methods:

a) Bill of Particulars – A respondent may request additional information regarding the charges. Written demands for relevant information concerning the charges shall be answered within 10 days after service unless objected to.

b) Written Interrogatories − A party may direct written interrogatories to any other party. The interrogatories shall be restricted to the subject matter of the complaint or defense and shall avoid placing undue detail, excessive burden, or expense on the answering party. Within 10 days after service, the answering party shall serve on the propounding party an answer, under oath or affirmation, or an objection to each interrogatory. When appropriate, a document may be served in answer to an interrogatory. Supplemental interrogatories shall not be allowed except on leave of the Administrative Law Judge for good cause shown.

c) Production, Inspection, Copying or Photographing of Documents and Tangible Things − A party, by written request served upon the other parties, may require production for inspection, copying or photographing any document, object or tangible thing that is relevant to the subject matter of the complaint or defense. The party upon whom the request is served shall respond to the request within 10 days, stating, with respect to each item or category, that inspection and related activities will be permitted as required, unless the request is objected to, stating the reasons for objection.

d) List of Witnesses and Documents − Upon timely request prior to a hearing on the merits, each party to the proceeding shall serve on the other party:

1) A list of names and home or work addresses of the witnesses the party proposes to call in its case in chief.

2) All documents the party proposes to offer in its case in chief.

3) All written or recorded statements of the party's witnesses that may be used by an adverse party for the purpose of cross-examination.

e) Deposition − A party may take discovery depositions either for good cause shown or by agreement. A discovery deposition, taken for good cause or by agreement, may be taken only upon leave of the Administrative Law Judge. No party shall serve a notice of deposition without leave of the Administrative Law Judge.

f) Admission of Fact or of Genuineness of Documents − A party may serve on any other party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request or for the admission of genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished.

g) Privileges − All matters that are privileged against disclosure in civil cases in the courts of the State of Illinois shall be privileged against disclosure through any discovery procedure.

h) Limitation of Discovery − At any time, the Administrative Law Judge may, on his/her own motion or on motion of any party or witness, make protective orders as justice and fairness may require, denying, limiting, conditioning or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage or oppression. Discovery materials need not be filed with the Commission unless specifically requested by the Administrative Law Judge.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1380 Subpoenas

The Chairperson and the Administrative Law Judge, if any, shall have authority to issue subpoenas in the name of the Commission to compel the presence of witnesses for purposes of testimony and the production of documents and other items for inspection and copying.

a) Subpoenas may be issued upon written request of either party if:

1) the request is reasonably designed to produce or lead to the production of evidence related to the alleged violation;

2) the terms of compliance are reasonable given the time frames and other circumstances;

3) the party seeking the subpoena has attempted and failed to obtain the subject of the subpoena through other means; and

4) the subpoena is properly prepared and presented for signature.

b) Subpoenas for testimony of witnesses at hearing will be granted in the absence of compelling circumstances to the contrary.

c) Witnesses may be subpoenaed to give sworn evidentiary depositions, subject to cross-examination, if and only if they are unable to attend the hearing.

d) The cost of service and witness and mileage fees shall be borne by the person requesting the subpoena. Witness and mileage fees shall be the same as are paid witnesses in the circuit courts of the State of Illinois.

e) The person requesting a subpoena shall be responsible for its service in accordance with the Illinois Code of Civil Procedure [735 ILCS 5] and the Illinois Supreme Court Rules.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1390 Motions

a) Unless made orally on the record during a hearing, all motions shall be in writing and shall briefly state the order or relief requested and the specific grounds upon which relief is sought. Motions based on a matter that does not appear on record shall be supported by affidavit.

b) A written motion shall be served at the same time upon all parties and filed with the Commission's Springfield office.

c) Written motions and responses to motions shall set forth the arguments and authorities relied upon to permit the Administrative Law Judge to make a decision without oral argument on the motion. Parties may request a hearing that will be granted or denied based on the Administrative Law Judge's determination of need.

d) Within seven days after service of a motion, a participant or party may file a response to the motion. If no response is filed, the participant or party shall be presumed to have waived objection to the granting of the motion, but the waiver of objection does not bind the Administrative Law Judge in the decision on the motion. Unless undue delay or material prejudice would result, the Administrative Law Judge will not grant any motion before expiration of the seven-day response period. The moving person shall not have the right to reply, except as permitted by the Administrative Law Judge.

e) Arguments on preliminary motions may be held by telephone conference by order of the Administrative Law Judge.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1400 Order of Evidentiary Hearing

a) The Administrative Law Judge shall open the evidentiary hearing by explaining the procedure to be followed in the hearing. Upon motion of either party or at the discretion of the Administrative Law Judge, any or all witnesses may be sequestered.

b) Preliminary matters such as objection to charges, disputes involving discovery, stipulation of facts and documents, and scheduling of witnesses may be resolved.

c) Each party shall be given the opportunity to make a brief opening statement identifying the issues and indicating what is to be proven.

d) Parties and non-parties identified in Section 1620.1320 as entitled to notice of the hearing shall be permitted to present their respective arguments on the complaint.

e) All witnesses shall testify under oath or affirmation.

f) Each party may conduct such cross-examination as required for a full and true disclosure of the facts. The Administrative Law Judge may also examine witnesses.

g) Before closing the hearing, the Administrative Law Judge may allow both parties the opportunity to make brief oral and/or written closing statements.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1410 Public Hearing

The evidentiary hearing shall be open to the public.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1420 Proposal for Decision and Response

a) In a contested case in which the members of the Commission have not heard the case or read the record, the findings and decision of the Administrative Law Judge appointed by the Commission to conduct the hearing or the results of the investigation shall be mailed to the parties prior to the Commission's rendering a final decision.

b) Unless arrangements to the contrary have been made, parties may file a response to the proposal for decision within 30 days. Responses shall be served on the other party.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1430 Decision of the Commission

a) Within 60 days after the hearing or after briefs or responses are due, whichever is later, the Commission shall enter a decision.

b) A final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. The decision or order shall be delivered or mailed forthwith to each party or to his or her attorney of record.

c) The final decision shall make a finding as follows:

1) For CPOs, as to whether the respondent shall be removed or whether other disciplinary action shall be taken.

2) For SPOs, as to whether the Commission makes to the appropriate CPO a non-binding recommendation for removal of the respondent

3) For PCMs, as to whether the respondent shall be removed.

4) For Chief Internal Auditors, as to whether the Commission makes to the appropriate chief executive officer of the appropriate designated State agency a non-binding recommendation for removal of the respondent.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1440 Administrative Law Judge

a) The Chair or Executive Director of the Commission, or another person designated by the Commission, may serve as Administrative Law Judge (ALJ). An ALJ shall possess a license to practice law in the State of Illinois.

b) An ALJ assigned to a proceeding may, upon written request to and approval of the Executive Director, recuse himself or herself from the proceeding.

c) Whenever any party believes an ALJ for any reason should be disqualified from conducting, or continuing to conduct, a proceeding assigned to him or her, that party may file a motion to disqualify the ALJ, setting forth by affidavit the alleged grounds for disqualification. The ALJ shall have 7 days after filing of the motion within which to enter a written ruling on the motion. A copy of the ruling shall be served upon all parties. The Commission may, on its own motion, review rulings denying or granting a motion for disqualification.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1450 Authority of Administrative Law Judge

The Administrative Law Judge has the authority to conduct a hearing, take all necessary action to avoid delay, maintain order, and insure the development of a clear and complete record. The Administrative Law Judge shall have all powers necessary to conduct a hearing, including the power to:

a) Administer oaths and affirmations;

b) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition if necessary, and generally conduct the proceedings according to generally recognized administrative law and this Part;

c) Examine witnesses and direct witnesses to testify. If a witness refuses to answer a question after being directed to do so, the Administrative Law Judge may make such orders with regard to the refusal as are just and appropriate, including but not limited to excluding the testimony of a witness, admitting certain facts for

purposes of the proceeding or dismissing the appeal if the witness is under control of a party;

d) Limit the number of times any witness may testify, limit repetitious or cumulative testimony and set reasonable limits on the amount of time each witness may testify and be cross-examined;

e) Rule upon offers of proof and receive relevant evidence;

f) Direct parties to appear and confer for the settlement or simplification of issues, and to otherwise conduct prehearing conferences;

g) Dispose of procedural requests or similar matters;

h) Render findings of fact, conclusions of law and proposals for decision for an order of the Commission;

i) Reprimand or exclude from the hearing any person for disruptive or improper conduct committed in the presence of the Administrative Law Judge;

j) Take official notice of generally recognized facts, administrative rules and regulations, and statutes;

k) Enter a protective order to ensure the protection of any confidential or proprietary information, information specifically prohibited from disclosure by federal or State law or rules or regulations adopted under federal or State law, or information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy;

l) Enter any order that further carries out the purposes of this Part.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1460 Appearances − Representation

In all cases filed before the Commission, all respondents not appearing pro se must be represented of record by a member of the Illinois Bar or as otherwise allowed by Illinois Supreme Court Rule. An attorney representing a respondent shall file a written notice of appearance with the Commission identifying the attorney by name, address, telephone and

facsimile number, and attorney registration number, and may not withdraw an appearance without leave of the Commission or Administrative Law Judge.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1470 Record of Proceedings

Whenever an evidentiary hearing is held under this Part, it shall be recorded by a court reporter or other means that adequately preserves the record. Parties who order copies of the transcript are responsible for the cost of the copies. A party who has requested an order of protection (request that certain information remain confidential during and after the hearing) shall be responsible for redacting the protected information from the transcript.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1620.1480 Service of Pleadings

a) Manner of Service. When copies of papers filed with the Commission are required to be served on the opposing party, these copies shall be served personally, by first class mail, or in a manner agreed to by the parties and approved by the Administrative Law Judge.

b) Proof of Service. Proof that copies were served on the opposing party must be filed with the papers required to be filed with the Commission. Proof of service shall consist of the statement of the individual making service specifying the manner and date of the service.

(Source: Added at 36 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Proceedings Pursuant to Specific Rules or Statutory Provisions

2) Code Citation: 35 Ill. Adm. Code 106

3)

Section Numbers:	Proposed Action:
106.100	Amended
106.900	New
106.902	New
106.904	New
106.906	New
106.908	New
106.910	New
106.912	New
106.914	New

4) Statutory Authority: Implementing and authorized by Section 21(q), 26, and 28.1 of the Environmental Protection Act [415 ILCS 5/21(q), 26, and 28.1]

5) A Complete Description of the Subjects and Issues Involved: A more-detailed description of this rulemaking is contained in the Board's first notice opinion and order in Procedural Rules for Authorizations Under P. A. 97-220 for Certain Landscape Waste and Compost Applications and On-Farm Composting Facilities: New 35 Ill. Adm. Code 106.Subpart I, R 12-11 (Feb. 2, 2012). This docket will establish adjusted standards procedural rules concerning authorizations under Section 21(q) of the Environmental Protection Act (Act), 415 ILCS 5/21(q). The text of that section was amended by P.A. 97-220, signed and effective July 28, 2011.

The recent amendment allows the Board, rather than the Illinois Environmental Protection Agency, to grant authorizations under two provisions of Section 21 (q). The first type of Board authorization is under Section 21(q)(2), and is limited to farm owners or operators of a composting facility on which the landscape waste composting material is utilized to operate the compost facility on more than 2% of the property's total acreage. The other type of authorization, available under Section 21(q)(3), would allow any person to apply landscape waste or composted landscape waste at a rate greater than "agronomic rates" of not more than 20 tons per acre per year. Without such Board authorizations, these activities are prohibited acts under Section 21(q), and violators are subject to enforcement.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

This is the Board's second first notice publication in this docket. The Board originally adopted first notice of the proposed rules on October 20, 2011. The first notice was published at 35 Ill. Reg. 18492 (Nov. 14, 2011). In response to the three public comments before the December 29, 2011 expiration of that first notice period, the Board has enhanced the public notice requirements.

The proposed rules add a new subpart I to the Board's procedural rules for adjusted standards at 35 Ill. Adm. Code Part 106. These procedural rules are similar to those in other subparts in Part 106. These rules differ from the original first notice rules by requiring the applicant for a Section 21(q) authorization to publish newspaper notice of the application in the area likely to be affected. The new notice requirement is similar to that required for adjusted standards under Section 28.1 of the Act and the Board's adjusted standard procedural rules at 35 Ill. Adm. Code 104. These added rules provide that the Board will hold a public hearing if requested to do so in writing by any person within 21 days of the notice's publication. Added rules concerning conduct of the public hearing are similar to those in Part 104.

As the Board is not required to hold hearings to amend procedural rules, the Board does not intend to do so absent a request within the 45-day first notice period following this publication.

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? Yes

Section Numbers:	Proposed Action:	Illinois Register Citation:
106.100	Amend	36 Ill. Reg. 2469; 2/17/12
106.1000	New	36 Ill. Reg. 2469; 2/17/12
106.1002	New	36 Ill. Reg. 2469; 2/17/12
106.1004	New	36 Ill. Reg. 2469; 2/17/12
106.1006	New	36 Ill. Reg. 2469; 2117/12
106.1008	New	36 Ill. Reg. 2469; 2/17/12

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

106.1010	New	36 Ill. Reg. 2469; 2/17/12
106.1012	New	36 Ill. Reg. 2469; 2/17/12
106.1014	New	36 Ill. Reg. 2469; 2/17/12

11) Statement of Statewide Policy Objective: 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)].

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 refer to docket R12-11 and be addressed to:

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

Interested persons may request copies of the Board's opinion and order in R12-11 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 crowleyk@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, or not-for-profit corporations that own or operate a qualifying source could be affected by the proposed amendments.

B) Reporting, bookkeeping or other procedures required for compliance: Owner or operators of qualifying sources will have the same or fewer requirements for reporting, bookkeeping, or recordkeeping.

C) Types of Professional skills necessary for compliance: It is not anticipated that any additional skills will be necessary for compliance, as the goal of small source registration is to reduce the administrative requirements for owners or operators

of qualifying units, while maintaining environmental effectiveness of substantive emissions requirements for these sources.

14) Regulatory Agenda in which these amendments were summarized: January 2011

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

PART 106
PROCEEDINGS PURSUANT TO SPECIFIC RULES OR STATUTORY PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section
106.100 Applicability
106.102 Severability
106.104 Definitions

SUBPART B: HEATED EFFLUENT, ARTIFICIAL COOLING LAKE, AND SULFUR DIOXIDE DEMONSTRATIONS

Section
106.200 General
106.202 Petition Requirements
106.204 Additional Petition Requirements in Sulfur Dioxide Demonstrations
106.206 Notice
106.208 Recommendation and Response
106.210 Burden of Proof

SUBPART C: WATER WELL SETBACK EXCEPTION PROCEDURES

Section
106.300 General
106.302 Initiation of Proceeding
106.304 Petition Content Requirements
106.306 Response and Reply
106.308 Hearing
106.310 Burden of Proof

SUBPART D: REVOCATION AND REOPENING OF CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMITS

Section

106.400 General
106.402 Definitions
106.404 Initiation of Proceedings
106.406 Petition Content Requirements
106.408 Response and Reply
106.410 Hearing
106.412 Burden of Proof
106.414 Opinion and Order
106.416 USEPA Review of Proposed Determination

SUBPART E: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY DETERMINATIONS

Section
106.500 General
106.502 Definitions
106.504 Initiation of Proceedings
106.506 Petition Content Requirements
106.508 Response and Reply
106.510 Hearing
106.512 Burden of Proof
106.514 Board Action

SUBPART F: CULPABILITY DETERMINATIONS FOR PARTICULATE MATTER LESS THAN OR EQUAL TO 10 MICRONS (PM-10)

Section
106.600 General
106.602 Initiation of Proceedings
106.604 Petition Content Requirements
106.606 Response and Reply
106.608 Hearing
106.610 Burden of Proof

SUBPART G: INVOLUNTARY TERMINATION OF ENVIRONMENTAL MANAGEMENT SYSTEM AGREEMENTS (EMSAs)

Section
106.700 Purpose

106.702 Applicability
106.704 Termination Under Section 52.3-4(b) or (b-5) of the Act
106.706 Who May Initiate, Parties
106.707 Notice, Statement of Deficiency, Answer
106.708 Service
106.710 Notice of Hearing
106.712 Deficient Performance
106.714 Board Decision
106.716 Burden of Proof
106.718 Motions, Responses
106.720 Intervention
106.722 Continuances
106.724 Discovery, Admissions
106.726 Subpoenas
106.728 Settlement Procedure
106.730 Authority of Hearing Officer, Board Members, and Board Assistants
106.732 Order and Conduct of Hearing
106.734 Evidentiary Matters
106.736 Post-Hearing Procedures
106.738 Motion After Entry of Final Order
106.740 Relief from Final Orders

SUBPART H: AUTHORIZATIONS UNDER THE REGULATION OF PHOSPHORUS IN DETERGENTS ACT

Section
106.800 General
106.802 Definitions
106.804 Initiation of Proceeding
106.806 Petition Content Requirements
106.808 Response and Reply
106.810 Hearing
106.812 Burden of Proof

SUBPART I: AUTHORIZATIONS FOR CERTAIN LANDSCAPE WASTE AND COMPOST APPLICATIONS AND ON-FARM COMPOSTING FACILITIES

Section
106.900 General

106.902 Initiation of Proceeding
106.904 Petition Content Requirements
106.906 Petition Notice Requirements
106.908 Proof of Petition Notice Requirements
106.910 Response and Reply
106.912 Hearing
106.914 Burden of Proof

106.APPENDIX A Comparison of Former and Current Rules (Repealed)

AUTHORITY: Implementing and authorized by Sections 5, 14.2(c), 21(q), 22.4, 26, 27, 28, 28.1, 28.5, 35, 36, 37, 38, 39.5 and 52.3 of the Environmental Protection Act (the Act) [415 ILCS 5/5, 14.2(c), 21(q), 22.4, 26, 27, 28, 28.1, 28.5, 35, 36, 37, 38, 39.5 and 52.3], and Section 92.5 of the Regulation of Phosphorus in Detergents Act [415 ILCS 92.5].

SOURCE: Filed with Secretary of State January 1, 1978; amended at 4 Ill. Reg. 2, p. 186, effective December 27, 1979; codified at 6 Ill. Reg. 8357; amended in R85-22 at 10 Ill. Reg. 992, effective February 2, 1986; amended in R86-46 at 11 Ill. Reg. 13457, effective August 4, 1987; amended in R82-1 at 12 Ill. Reg. 12484, effective July 13, 1988; amended in R88-10 at 12 Ill. Reg. 12817, effective July 21, 1988; amended in R88-5(A) at 13 Ill. Reg. 12094, effective July 10, 1989; amended in R88-5(B) at 14 Ill. Reg. 9442, effective June 5, 1990; amended in R93-24 at 18 Ill. Reg. 4230, effective March 8, 1994; amended in R93-30 at 18 Ill. Reg. 11579, effective July 11, 1994; amended in R99-9 at 23 Ill. Reg. 2697, effective February 16, 1999; old Part repealed, new Part adopted in R00-20 at 25 Ill. Reg. 550, effective January 1, 2001; amended in R04-24 at 29 Ill. Reg. 8817, effective June 8, 2005; amended in R10-19 at 34 Ill. Reg. 11486, effective July 23, 2010; amended in R12-11 at 36 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 106.100 Applicability

a) This Part applies to adjudicatory proceedings pursuant to specific rules or statutory provisions. Specifically, the Part applies to heated effluent, artificial cooling lake and sulfur dioxide demonstrations, water well setback exception procedures, revocation and reopening of CAAPP permits, maximum achievable control technology determinations, culpability determinations for particulate matter less than or equal to 10 microns, the involuntary termination of environmental management system agreements, ~~and~~ authorization of use of

cleaning agents under the Regulation of Phosphorus in Detergents Act [415 ILCS 92], and authorizations for certain landscape waste and compost applications and on-farm composting facilities.

b) This Part must be read in conjunction with 35 Ill. Adm. Code 101, which contains procedures generally applicable to all of the Board's adjudicatory proceedings. In the event of a conflict between the requirements of 35 Ill. Adm. Code 101 and those of this Part, the provisions of this Part apply.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART I: AUTHORIZATIONS FOR CERTAIN LANDSCAPE WASTE AND COMPOST APPLICATIONS AND ON-FARM COMPOSTING FACILITIES

Section 106.900 General

a) Applicability. This Subpart applies to any person who files a petition for Board authorization concerning an individual site to:

1) apply landscape waste or composted landscape waste at a rate greater than the agronomic rates of 20 tons per acre per year, pursuant to Section 21(q)(2) of the Act; or

2) operate an on-farm composting facility constituting more than 2% of the property's total acreage, pursuant to Section 21(q)(3) of the Act.

b) Demonstration. Any person who files a petition for Board authorization under this Subpart must demonstrate *that the site's soil characteristics or crop needs require a higher rate*. [415 ILCS 5/21(q)(3)(A)]

c) Parties. The person filing the petition for authorization must be named the petitioner and the Agency must be named the respondent.

d) Filing and Service. The filing and service requirements of 35 Ill. Adm. Code 101.Subpart C will apply to the proceedings of this Subpart.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 106.902 Initiation of Proceeding

The petitioner must file the petition for authorization with the Clerk of the Board and must serve one copy upon the Agency.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 106.904 Petition Content Requirements

The petition must contain the following information:

a) A written statement, signed by the petitioner or an authorized representative, concerning the property for which authorization is sought, outlining a description of the specific percentage of the property or the specific application rate sought and the duration of, the reasons for, and the basis for the authorization sought, consistent with the burden of proof stated in Section 106.910 of this Part;

b) The nature of the petitioner's operations;

c) Any other applicable information that may be required by Section 21(q) of the Act, including but not limited to a map of the location where land application or composting would take place, a description of the uses of the surrounding areas, the method for nutrient calculations, the number of soil samples, the intended crop or planting, a description of any additives to the landscape waste, the method and timeframe for incorporating the landscape waste or compost into the soil, the method of minimizing stormwater/snowmelt runoff, the measures for removal of noncompostable wastes from the incoming loads, and the method of preventing nuisance conditions such as vectors, odors or litter.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 106.906 Petition Notice Requirements

a) The petitioner shall submit to the Board proof that, within 14 days after the filing of the petition, it has published notice of the filing of the petition by advertisement in a newspaper of general circulation in the area likely to be affected by the petitioners activity that is the subject of the Section 21(q) petition.

b) The title of the notice must be in the following form: "Notice of Petition For Authorization Under 415 ILCS 5/21(q) by (petitioner's name) before the Illinois

Pollution Control Board." The notice must contain the name and address of the petitioner and the statement that the petitioner has filed with the Board an authorization petition under Section 21(q). The notice must also provide the date upon which the petition was filed, the Board docket number, the proposed authorization, and a general description of the petitioner's activity that is the subject of the authorization proceeding and the location of that activity. This information must be presented so as to be understood in accordance with the context of this Section's requirements. The concluding portion of the notice must read as follows: "Any person may cause a public hearing to be held in the above-described authorization proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should clearly indicate the docket number for the adjusted standard proceeding, as found in this notice, and must be mailed to the Clerk of the Board, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601."

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section106.908 Proof of Petition Notice Requirements

Within 30 days after the filing of the petition, the petitioner must file a certificate of publication, issued by the publisher of the authorization petition notice certifying the publication of that notice. The certificate must be issued in accordance with Section 1 of the Notice by Publication Act [715 ILCS 5/1].

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 106.910 Response and Reply

a) Within 21 days after the filing of a petition, the Agency may file a response to any petition in which it has not joined as co-petitioner. The response must include the comments concerning potential Board action on the petition.

b) The petitioner may file a reply within 14 days after the service of any Agency response.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 106.912 Hearing

a) Any person can request that a public hearing be held in an authorization proceeding. The requests must be filed not later than 21 days after the date of the publication of the petition notice in accordance with Section 106.906 of this Part. Requests for hearing should make reference to the Board docket number assigned to the proceeding. A copy of each timely hearing request will be mailed to the petitioner and Agency by the Clerk of the Board. Participation by the public at the hearing must be in accordance with 35 Ill. Adm. Code 101.110 and 101.628. The Board may also, in its discretion, hold a public hearing when it determines a public hearing is advisable.

b) When all parties and participants who have requested a hearing pursuant to this Subpart have withdrawn their requests for a hearing, the hearing will not be held unless the Board, in its discretion, deems it advisable.

c) The hearing officer will set a time and place for the hearing. The hearing officer will make an attempt to consult with the petitioner and the Agency prior to the scheduling of a hearing. Hearings are to be held in the county likely to be affected by the petitioner's activity that is the subject of the proposed authorization proceeding.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 106.914 Burden of Proof

The burden of proof is on the petitioner. A petitioner may seek authorization, for an individual site, to:

a) Apply landscape waste or composted landscape waste at rates greater than "agronomic rates" of not *more than 20 tons per acre per year* [415 ILCS 5/21(q)]. An owner or operator seeking to apply landscape waste or composted landscape waste in accordance with Section 21(q)(2) of the Act at rates greater than agronomic rates must demonstrate *to the Board that the site's soil characteristics or crop needs require a higher rate* as specified in the petition [415 ILCS 5/21(q)(3)(A)].

b) Increase in total acreage of on-farm composting facility. A farm owner or operator seeking to apply landscape waste or landscape waste compost in accordance with Section 21(q)(3)(A) of the Act at a composting facility on which

the composting material is utilized and who proposes to do so on more than 2% of the property's total acreage on which the composting material is utilized by the farmer, must demonstrate to the Board that the site's soil characteristics or crop needs require a higher rate as specified in the petition.

(Source: Added at 36 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Primary Drinking Water Standards

2) Code citation: 35 Ill. Adm. Code 611

3)

Section numbers:	Proposed action:
611.102	Amend
611.130	Amend
611.611	Amend
611.612	Amend
611.645	Amend
611.680	Repealed
611.720	Amend
611.APPENDIX F	Amend

4) Statutory authority: 415 ILCS 5/7.2, 17, 17.5, and 27

5) A complete description of the subjects and issues involved: The following briefly describes the subjects and issues involved in the docket R12-4 rulemaking, which amends only Part 611. A comprehensive description is contained in the Board's opinion and order of February 2, 2012, proposing amendments in docket R12-4, which opinion and order is available from the address below.

This proceeding updates the Illinois Safe Drinking Water Act (SDWA) rules to correspond with amendments adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during a single update period. The docket and time period that is involved in this proceeding is the following:

R12-4	Federal SDWA amendments that occurred during the period January 1, 2011 through June 30, 2011.

The R12-4 docket amends rules in Part 611 only. The following table briefly summarizes the federal action in the update period:

June 24, 2011 (76 Fed. Reg. 37014)	USEPA approved alternative testing methods for use in demonstrating compliance with the drinking water standards. USEPA added 11 alternative methods for analyzing various inorganic and organic chemical parameters and one radionuclide. USEPA included corrections to the listings for two earlier-approved alternative methods.

Tables appear in the Board's opinion and order of February 2, 2012 in docket R12-4 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the February 2, 2012 opinion and order in docket R12-4.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the IAPA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

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? Yes. The current amendments revise existing incorporations by reference and add several new incorporations by reference to correspond with USEPA's summary approvals of new alternative equivalent analytic methods and corrections to previously approved alternative equivalent analytic methods.

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)].

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

11) Are there any other amendments pending on this Part? No

12) Time, Place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R12-4 and be addressed to:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Please direct inquiries to the following person and reference docket R12-4:

Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60601

Phone: 312/814-6924
E-mail: mccambm@ipcb.state.il.us

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at http:\\www.ipcb.state.il.us

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that own or operate a public water supply.

B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of reports, water analyses, and maintenance of operating records.

C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

14) Regulatory agenda on which this rulemaking was summarized July 2011

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611
PRIMARY DRINKING WATER STANDARDS

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611.100 Purpose, Scope, and Applicability
611.101 Definitions
611.102 Incorporations by Reference
611.103 Severability
611.105 Electronic Reporting
611.107 Agency Inspection of PWS Facilities
611.108 Delegation to Local Government
611.109 Enforcement
611.110 Special Exception Permits
611.111 Relief Equivalent to SDWA Section 1415(a) Variances
611.112 Relief Equivalent to SDWA Section 1416 Exemptions
611.113 Alternative Treatment Techniques
611.114 Siting Requirements
611.115 Source Water Quantity
611.120 Effective Dates
611.121 Maximum Contaminant Levels and Finished Water Quality
611.125 Fluoridation Requirement
611.126 Prohibition on Use of Lead
611.130 Special Requirements for Certain Variances and Adjusted Standards
611.131 Relief Equivalent to SDWA Section 1415(e) Small System Variance
611.160 Composite Correction Program
611.161 Case-by-Case Reduced Subpart Y Monitoring for Wholesale and Consecutive Systems

SUBPART B: FILTRATION AND DISINFECTION

Section
611.201 Requiring a Demonstration
611.202 Procedures for Agency Determinations

611.211 Filtration Required
611.212 Groundwater under Direct Influence of Surface Water
611.213 No Method of HPC Analysis
611.220 General Requirements
611.230 Filtration Effective Dates
611.231 Source Water Quality Conditions
611.232 Site-Specific Conditions
611.233 Treatment Technique Violations
611.240 Disinfection
611.241 Unfiltered PWSs
611.242 Filtered PWSs
611.250 Filtration
611.261 Unfiltered PWSs: Reporting and Recordkeeping
611.262 Filtered PWSs: Reporting and Recordkeeping
611.271 Protection during Repair Work
611.272 Disinfection Following Repair
611.276 Recycle Provisions

SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

Section
611.280 Point-of-Entry Devices
611.290 Use of Point-of-Use Devices or Bottled Water

SUBPART D: TREATMENT TECHNIQUES

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611.295 General Requirements
611.296 Acrylamide and Epichlorohydrin
611.297 Corrosion Control

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCLs) AND MAXIMUM RESIDUAL DISINFECTANT LEVELS (MRDLs)

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611.300 Old MCLs for Inorganic Chemical Contaminants
611.301 Revised MCLs for Inorganic Chemical Contaminants
611.310 State-Only Maximum Contaminant Levels (MCLs) for Organic Chemical Contaminants

611.311 Revised MCLs for Organic Chemical Contaminants
611.312 Maximum Contaminant Levels (MCLs) for Disinfection Byproducts (DBPs)
611.313 Maximum Residual Disinfectant Levels (MRDLs)
611.320 Turbidity (Repealed)
611.325 Microbiological Contaminants
611.330 Maximum Contaminant Levels for Radionuclides
611.331 Beta Particle and Photon Radioactivity (Repealed)

SUBPART G: LEAD AND COPPER

Section
611.350 General Requirements
611.351 Applicability of Corrosion Control
611.352 Corrosion Control Treatment
611.353 Source Water Treatment
611.354 Lead Service Line Replacement
611.355 Public Education and Supplemental Monitoring
611.356 Tap Water Monitoring for Lead and Copper
611.357 Monitoring for Water Quality Parameters
611.358 Monitoring for Lead and Copper in Source Water
611.359 Analytical Methods
611.360 Reporting
611.361 Recordkeeping

SUBPART I: DISINFECTANT RESIDUALS, DISINFECTION BYPRODUCTS, AND DISINFECTION BYPRODUCT PRECURSORS

Section
611.380 General Requirements
611.381 Analytical Requirements
611.382 Monitoring Requirements
611.383 Compliance Requirements
611.384 Reporting and Recordkeeping Requirements
611.385 Treatment Technique for Control of Disinfection Byproduct (DBP) Precursors

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.480 Alternative Analytical Techniques

611.490 Certified Laboratories
611.491 Laboratory Testing Equipment
611.500 Consecutive PWSs
611.510 Special Monitoring for Unregulated Contaminants (Repealed)

SUBPART L: MICROBIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.521 Routine Coliform Monitoring
611.522 Repeat Coliform Monitoring
611.523 Invalidation of Total Coliform Samples
611.524 Sanitary Surveys
611.525 Fecal Coliform and E. Coli Testing
611.526 Analytical Methodology
611.527 Response to Violation
611.531 Analytical Requirements
611.532 Unfiltered PWSs
611.533 Filtered PWSs

SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

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611.560 Turbidity

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

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611.591 Violation of a State MCL
611.592 Frequency of State Monitoring
611.600 Applicability
611.601 Monitoring Frequency
611.602 Asbestos Monitoring Frequency
611.603 Inorganic Monitoring Frequency
611.604 Nitrate Monitoring
611.605 Nitrite Monitoring
611.606 Confirmation Samples
611.607 More Frequent Monitoring and Confirmation Sampling
611.608 Additional Optional Monitoring

611.609 Determining Compliance
611.610 Inorganic Monitoring Times
611.611 Inorganic Analysis
611.612 Monitoring Requirements for Old Inorganic MCLs
611.630 Special Monitoring for Sodium
611.631 Special Monitoring for Inorganic Chemicals (Repealed)

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.640 Definitions
611.641 Old MCLs
611.645 Analytical Methods for Organic Chemical Contaminants
611.646 Phase I, Phase II, and Phase V Volatile Organic Contaminants
611.647 Sampling for Phase I Volatile Organic Contaminants (Repealed)
611.648 Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants
611.650 Monitoring for 36 Contaminants (Repealed)
611.657 Analytical Methods for 36 Contaminants (Repealed)
611.658 Special Monitoring for Organic Chemicals (Repealed)

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.680 Sampling, Analytical, and other Requirements (Repealed)
611.683 Reduced Monitoring Frequency (Repealed)
611.684 Averaging (Repealed)
611.685 Analytical Methods
611.686 Modification to System (Repealed)
611.687 Sampling for THM Potential (Repealed)
611.688 Applicability Dates (Repealed)

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.720 Analytical Methods
611.731 Gross Alpha
611.732 Beta Particle and Photon Radioactivity
611.733 General Monitoring and Compliance Requirements

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART R: ENHANCED FILTRATION AND DISINFECTION: SYSTEMS THAT SERVE 10,000 OR MORE PEOPLE

Section
611.740 General Requirements
611.741 Standards for Avoiding Filtration
611.742 Disinfection Profiling and Benchmarking
611.743 Filtration
611.744 Filtration Sampling Requirements
611.745 Reporting and Recordkeeping Requirements

SUBPART S: GROUNDWATER RULE

Section
611.800 General Requirements and Applicability
611.801 Sanitary Surveys for GWS Suppliers
611.802 Groundwater Source Microbial Monitoring and Analytical Methods
611.803 Treatment Technique Requirements for GWS Suppliers
611.804 Treatment Technique Violations for GWS Suppliers
611.805 Reporting and Recordkeeping for GWS Suppliers

SUBPART T: REPORTING AND RECORDKEEPING

Section
611.830 Applicability
611.831 Monthly Operating Report
611.832 Notice by Agency (Repealed)
611.833 Cross Connection Reporting
611.840 Reporting
611.851 Reporting MCL, MRDL, and other Violations (Repealed)
611.852 Reporting other Violations (Repealed)
611.853 Notice to New Billing Units (Repealed)
611.854 General Content of Public Notice (Repealed)
611.855 Mandatory Health Effects Language (Repealed)
611.856 Fluoride Notice (Repealed)
611.858 Fluoride Secondary Standard (Repealed)
611.860 Record Maintenance
611.870 List of 36 Contaminants (Repealed)

SUBPART U: CONSUMER CONFIDENCE REPORTS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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611.881 Purpose and Applicability
611.882 Compliance Dates
611.883 Content of the Reports
611.884 Required Additional Health Information
611.885 Report Delivery and Recordkeeping

SUBPART V: PUBLIC NOTIFICATION OF DRINKING WATER VIOLATIONS

Section
611.901 General Public Notification Requirements
611.902 Tier 1 Public Notice: Form, Manner, and Frequency of Notice
611.903 Tier 2 Public Notice: Form, Manner, and Frequency of Notice
611.904 Tier 3 Public Notice: Form, Manner, and Frequency of Notice
611.905 Content of the Public Notice
611.906 Notice to New Billing Units or New Customers
611.907 Special Notice of the Availability of Unregulated Contaminant Monitoring Results
611.908 Special Notice for Exceedence of the Fluoride Secondary Standard
611.909 Special Notice for Nitrate Exceedences above the MCL by a Non-Community Water System
611.910 Notice by the Agency on Behalf of a PWS
611.911 Special Notice for Cryptosporidium

SUBPART W: INITIAL DISTRIBUTION SYSTEM EVALUATIONS

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611.920 General Requirements
611.921 Standard Monitoring
611.922 System-Specific Studies
611.923 40/30 Certification
611.924 Very Small System Waivers
611.925 Subpart Y Compliance Monitoring Location Recommendations

SUBPART X: ENHANCED FILTRATION AND DISINFECTION – SYSTEMS SERVING FEWER THAN 10,000 PEOPLE

Section

611.950 General Requirements
611.951 Finished Water Reservoirs
611.952 Additional Watershed Control Requirements for Unfiltered Systems
611.953 Disinfection Profile
611.954 Disinfection Benchmark
611.955 Combined Filter Effluent Turbidity Limits
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SUBPART Y: STAGE 2 DISINFECTION BYPRODUCTS REQUIREMENTS

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611.970 General Requirements
611.971 Routine Monitoring
611.972 Subpart Y Monitoring Plan
611.973 Reduced Monitoring
611.974 Additional Requirements for Consecutive Systems
611.975 Conditions Requiring Increased Monitoring
611.976 Operational Evaluation Levels
611.977 Requirements for Remaining on Reduced TTHM and HAA5 Monitoring Based on Subpart I Results
611.978 Requirements for Remaining on Increased TTHM and HAA5 Monitoring Based on Subpart I Results
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SUBPART Z: ENHANCED TREATMENT FOR CRYPTOSPORIDIUM

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611.1000 General Requirements
611.1001 Source Water Monitoring Requirements: Source Water Monitoring
611.1002 Source Water Monitoring Requirements: Sampling Schedules
611.1003 Source Water Monitoring Requirements: Sampling Locations
611.1004 Source Water Monitoring Requirements: Analytical Methods
611.1005 Source Water Monitoring Requirements: Approved Laboratories
611.1006 Source Water Monitoring Requirements: Reporting Source Water Monitoring Results
611.1007 Source Water Monitoring Requirements: Grandfathering Previously Collected Data
611.1008 Disinfection Profiling and Benchmarking Requirements: Requirements When Making a Significant Change in Disinfection Practice

611.1009 Disinfection Profiling and Benchmarking Requirements: Developing the Disinfection Profile and Benchmark
611.1010 Treatment Technique Requirements: Bin Classification for Filtered Systems
611.1011 Treatment Technique Requirements: Filtered System Additional Cryptosporidium Treatment Requirements
611.1012 Treatment Technique Requirements: Unfiltered System Cryptosporidium Treatment Requirements
611.1013 Treatment Technique Requirements: Schedule for Compliance with Cryptosporidium Treatment Requirements
611.1014 Treatment Technique Requirements: Requirements for Uncovered Finished Water Storage Facilities
611.1015 Requirements for Microbial Toolbox Components: Microbial Toolbox Options for Meeting Cryptosporidium Treatment Requirements
611.1016 Requirements for Microbial Toolbox Components: Source Toolbox Components
611.1017 Requirements for Microbial Toolbox Components: Pre-Filtration Treatment Toolbox Components
611.1018 Requirements for Microbial Toolbox Components: Treatment Performance Toolbox Components
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611.1020 Requirements for Microbial Toolbox Components: Inactivation Toolbox Components
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611.1023 Requirements to Respond to Significant Deficiencies Identified in Sanitary Surveys Performed by USEPA or the Agency

611.APPENDIX A Regulated Contaminants
611.APPENDIX B Percent Inactivation of G. Lamblia Cysts
611.APPENDIX C Common Names of Organic Chemicals
611.APPENDIX D Defined Substrate Method for the Simultaneous Detection of Total Coliforms and Eschericia Coli from Drinking Water
611.APPENDIX E Mandatory Lead Public Education Information for Community Water Systems
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611.APPENDIX G NPDWR Violations and Situations Requiring Public Notice
611.APPENDIX H Standard Health Effects Language for Public Notification
611.APPENDIX I Acronyms Used in Public Notification Regulation

611.TABLE A	Total Coliform Monitoring Frequency
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611.TABLE C	Frequency of RDC Measurement
611.TABLE D	Number of Lead and Copper Monitoring Sites
611.TABLE E	Lead and Copper Monitoring Start Dates
611.TABLE F	Number of Water Quality Parameter Sampling Sites
611.TABLE G	Summary of Section 611.357 Monitoring Requirements for Water Quality Parameters
611.TABLE H	CT Values (mg·min/ℓ) for Cryptosporidium Inactivation by Chlorine Dioxide
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611.TABLE J	UV Dose Table for Cryptosporidium, Giardia lamblia, and Virus Inactivation Credit
611.TABLE Z	Federal Effective Dates

AUTHORITY: Implementing Sections 7.2, 17, and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 17, 17.5, and 27].

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17 Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. 12291, effective July 28, 1994; amended in R94-23 at 19 Ill. Reg. 8613, effective June 20, 1995; amended in R95-17 at 20 Ill. Reg. 14493, effective October 22, 1996; amended in R98-2 at 22 Ill. Reg. 5020, effective March 5, 1998; amended in R99-6 at 23 Ill. Reg. 2756, effective February 17, 1999; amended in R99-12 at 23 Ill. Reg. 10348, effective August 11, 1999; amended in R00-8 at 23 Ill. Reg. 14715, effective December 8, 1999; amended in R00-10 at 24 Ill. Reg. 14226, effective September 11, 2000; amended in R01-7 at 25 Ill. Reg. 1329, effective January 11, 2001; amended in R01-20 at 25 Ill. Reg. 13611, effective October 9, 2001; amended in R02-5 at 26 Ill. Reg. 3522, effective February 22, 2002; amended in R03-4 at 27 Ill. Reg. 1183, effective January 10, 2003; amended in R03-15 at 27 Ill. Reg. 16447, effective October 10, 2003; amended in R04-3 at 28 Ill. Reg. 5269, effective March 10, 2004; amended in R04-13 at 28 Ill. Reg. 12666, effective August 26, 2004; amended in R05-6 at 29 Ill. Reg. 2287, effective January 28, 2005; amended in R06-15 at 30 Ill. Reg. 17004, effective October 13, 2006; amended in R07-2/R07-11 at 31 Ill. Reg. 11757, effective July 27, 2007; amended in R08-7/R08-13 at 33 Ill. Reg. 633, effective January 2, 2009; amended in R10-1/R10-17/R11-6 at 34 Ill. Reg. 19848, effective December 7, 2010; amended in R12-4 at 36 Ill. Reg. _____, effective _____.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART A: GENERAL

Section 611.102 Incorporations by Reference

a) Abbreviations and short-name listing of references. The following names and abbreviated names, presented in alphabetical order, are used in this Part to refer to materials incorporated by reference:

"AMI Turbiwell Method" means "Continuous Measurement of Turbidity Using a SWAN AMI Turbiwell Turbidimeter," available from NEMI or from SWAN Analytische Instrumente AG.

"ASTM Method" means a method published by and available from the American Society for Testing and Materials (ASTM).

"Colisure Test" means "Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water," available from Millipore Corporation, Technical Services Department.

"Colitag® Test" means "Colitag® Product as a Test for Detection and Identification of Coliforms and E. coli Bacteria in Drinking Water and Source Water as Required in National Primary Drinking Water Regulations," available from CPI International.

"Chromocult® Method" means "Chromocult® Coliform Agar Presence/Absence Membrane Filter Test Method for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," available from EMD Chemicals Inc.

"Determination of Inorganic Oxyhalide" means "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," available from NTIS.

"Dioxin and Furan Method 1613" means "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope-Dilution HRGC/HRMS," available from NTIS.

"E*Colite Test" means "Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," available from Charm Sciences, Inc. and USEPA, Water Resource Center.

"EC-MUG" means "Method 9221 F: Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia coli Procedure (Proposed)," available from American Public Health Association and American Waterworks Association.

"EML Procedures Manual" means "EML Procedures Manual, HASL 300," available from USDOE, EML.

"Enterolert" means "Evaluation of Enterolert for Enumeration of Enterococci in Recreational Waters," available from American Society for Microbiology.

"Georgia Radium Method" means "The Determination of Radium-226 and Radium-228 in Drinking Water by Gamma-ray Spectrometry Using HPGE or Ge(Li) Detectors," Revision 1.2, December 2004, available from the Georgia Tech Research Institute.

"GLI Method 2" means GLI Method 2, "Turbidity," Nov. 2, 1992, available from Great Lakes Instruments, Inc.

"Guidance Manual for Filtration and Disinfection" means "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources," March 1991, available from USEPA, NSCEP.

"Hach FilterTrak Method 10133" means "Determination of Turbidity by Laser Nephelometry," available from Hach Co.

"Hach SPDANS 2 Method 10225" means "Hach Company SPADNS 2 (Arsenic-free) Fluoride Method 10225 − Spectrophotometric Measurement of Fluoride in Water and Wastewater," available from the Hach Co.

"Hach TNTplus 835/836 Method 10206" means "Hach Company TNTplus

835/836 Nitrate Method 10206 − Spectrophotometric Measurement of Nitrate in Water and Wastewater," available from the Hach Co.

"ITS Method D99-003" means Method D99-003, Revision 3.0, "Free Chlorine Species ($HOCl^-$ and OCl^-) by Test Strip," available from Industrial Test Systems, Inc.

"Kelada 01" means "Kelada Automated Test Methods for Total Cyanide, Acid Dissociable Cyanide, And Thiocyanate," Revision 1.2, available from NTIS.

"m-ColiBlue24 Test" means "Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," available from USEPA, Water Resource Center and Hach Company.

"Method ME355.01" means "Determination of Cyanide in Drinking Water by GC/MS Headspace Analysis," available from NEMI or from H&E Testing Laboratory.

"Mitchell Method M5271" means "Determination of Turbidity by Laser Nephelometry," available from NEMI and Leck Mitchell, PhD.

"Mitchell Method M5331" means "Determination of Turbidity by LED Nephelometry," available from NEMI and Leck Mitchell, PhD.

"Modified Colitag™ Method" means "Modified Colitag™ Test Method for Simultaneous Detection of E. coli and other Total Coliforms in Water," available from NEMI and CPI International.

"NA-MUG" means "Method 9222 G: Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures," available from American Public Health Association and American Waterworks Association.

"NCRP Report Number 22" means "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," available from NCRP.

"New Jersey Radium Method" means "Determination of Radium 228 in

Drinking Water," available from the New Jersey Department of Environmental Protection.

"New York Radium Method" means "Determination of Ra-226 and Ra-228 (Ra-02)," available from the New York Department of Public Health.

"OI Analytical Method OIA-1677" means "Method OIA-1677, DW Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry," available from ALPKEM, Division of OI Analytical.

"ONPG-MUG Test" (meaning "minimal medium ortho-nitrophenyl-beta-d-galactopyranoside-4-methyl-umbelliferyl -beta-d-glucuronide test"), also called the "Autoanalysis Colilert System," is Method 9223, available in "Standard Methods for the Examination of Water and Wastewater," 18th, 19th, 20th, or 21st ed., from American Public Health Association and the American Water Works Association.

"Orion Method AQ4500" means "Determination of Turbidity by LED Nephelometry," available from Thermo Scientific.

"Palintest ChloroSense" means "Measurement of Free and Total Chlorine in Drinking Water by Palintest ChloroSense," available from NEMI or Palintest Ltd.

"Palintest Method 1001" means "Method Number 1001," available from Palintest, Ltd. or the Hach Company.

"QuikChem Method 10-204-00-1-X" means "Digestion and distillation of total cyanide in drinking and wastewaters using MICRO DIST and determination of cyanide by flow injection analysis," available from Lachat Instruments.

"Readycult® 2000" means "Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," v. 1.0, available from EMD Chemicals Inc.

"Readycult® 2007" means "Readycult® Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," v. 1.1, available from EMD Chemicals Inc.

"SimPlate Method" means "IDEXX SimPlate TM HPC Test Method for Heterotrophs in Water," available from IDEXX Laboratories, Inc.

~~"Systea Easy (1-Reagent)" means "Systea Easy (1-Reagent) Nitrate Method," available from NEMI or Systea Scientific LLC.~~

"Standard Methods" means "Standard Methods for the Examination of Water and Wastewater," available from the American Public Health Association or the American Waterworks Association.

"Standard Methods Online" means the website maintained by the Standard Methods Organization (at www.standardmethods.org) for purchase of the latest versions of methods in an electronic format.

"Syngenta AG-625" means "Atrazine in Drinking Water by Immunoassay," February 2001 is available from Syngenta Crop Protection, Inc.

"Systea Easy (1-Reagent)" means "Systea Easy (1-Reagent) Nitrate Method," available from NEMI or Systea Scientific LLC.

"Technical Bulletin 601" means "Technical Bulletin 601, Standard Method of Testing for Nitrate in Drinking Water," July 1994, available from Analytical Technology, Inc.

"Technicon Methods" means "Fluoride in Water and Wastewater," available from Bran & Luebbe.

"USEPA Asbestos Method 100.1" means Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water," September 1983, available from NTIS.

"USEPA Asbestos Method 100.2" means Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water," June 1994, available from NTIS.

"USEPA Environmental Inorganic Methods" means "Methods for the Determination of Inorganic Substances in Environmental Samples,"

August 1993, available from NTIS.

"USEPA Environmental Metals Methods" means "Methods for the Determination of Metals in Environmental Samples," available from NTIS.

"USEPA Inorganic Methods" means "Methods for Chemical Analysis of Water and Wastes," March 1983, available from NTIS.

"USEPA Interim Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75/008 (revised), March 1976. Available from NTIS.

"USEPA Method 1600" means "Method 1600: Enterococci in Water by Membrane Filtration Using Membrane-Enterococcus Indoxyl-b-D-Glucoside Agar (mEI)," available from USEPA, Water Resource Center.

"USEPA Method 1601" means "Method 1601: Male-specific (F^+) and Somatic Coliphage in Water by Two-step Enrichment Procedure," available from USEPA, Water Resource Center.

"USEPA Method 1602" means "Method 1602: Male-specific (F^+) and Somatic Coliphage in Water by Single Agar Layer (SAL) Procedure," available from USEPA, Water Resource Center.

"USEPA Method 1604" means "Method 1604: Total Coliforms and Escherichia coli in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium)," available from USEPA, Water Resource Center.

"USEPA NERL Method 200.5 (rev. 4.2)" means Method 200.5, Revision 4.2, "Determination of Trace Elements in Drinking Water by Axially Viewed Inductively Coupled Plasma − Atomic Emission Spectrometry," October 2003, EPA 600/R-06/115. Available from USEPA, Office of Research and Development.

"USEPA NERL Method 415.3 (rev. 1.1)" means Method 415.3, Revision 1.1, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," USEPA, February 2005,

EPA 600/R-05/055. Available from USEPA, Office of Research and Development.

"USEPA NERL Method 415.3 (rev. 1.2)" means Method 415.3, Revision 1.2, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," USEPA, August 2009, EPA 600/R-09/122. Available from USEPA, Office of Research and Development.

"USEPA NERL Method 549.2" means Method 549.2, Revision 1.0, "Determination of Diquat and Paraquat in Drinking Water by Liquid-Solid Extraction and High Performance Liquid Chromatography with Ultraviolet Detection," June 1997. Available from USEPA, Office of Research and Development.

"USEPA OGWDW Methods" means the methods listed as available from the USEPA, Office of Ground Water and Drinking Water (Methods 302.0, 317.0 (rev. 2.0), 326.0 (rev. 1.0), 327.0 (rev. 1.1), 334.0, 515.4 (rev. 1.0), 524.3 (rev. 1.0), 531.2 (rev. 1.0), 552.3 (rev. 1.0), 557, 1622 (99), 1622 (01), 1622 (05), 1623 (99), 1623 (01), and 1623 (05)). Available from NTIS; USEPA, NSCEP; or USEPA, OGWDW.

"USEPA Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water," December 1988 (revised July 1991) (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0)); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement I," July 1990 (Methods 547, 550, and 550.1); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement II," August 1992 (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0)); and "Methods for the Determination of Organic Compounds in Drinking Water − Supplement III," August 1995 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev. 1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 1.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 531.1 (rev. 3.1), 551.1 (rev. 1.0), and 552.2 (rev. 1.0)). Available from NTIS; USEPA, NSCEP; or USEPA, EMSL.

"USEPA Organic and Inorganic Methods" means "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water,

Volume 1," EPA 815/R-00/014, PB2000-106981, August 2000. Available from NTIS.

"USEPA Radioactivity Methods" means "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," EPA 600/4-80/032, August 1980. Available from NTIS.

"USEPA Radiochemical Analyses" means "Radiochemical Analytical Procedures for Analysis of Environmental Samples," March 1979. Available from NTIS.

"USEPA Radiochemistry Procedures" means "Radiochemistry Procedures Manual," EPA 520/5-84/006, December 1987. Available from NTIS.

"USEPA Technical Notes" means "Technical Notes on Drinking Water Methods," available from NTIS and USEPA, NSCEP.

"USGS Methods" means "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory − Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments," available from NTIS and USGS.

"Waters Method B-1011" means "Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography," available from Waters Corporation, Technical Services Division.

b) The Board incorporates the following publications by reference:

ALPKEM, Division of OI Analytical, P.O. Box 9010, College Station, TX 77842-9010, telephone: 979-690-1711, Internet: www.oico.com.

"Method OIA-1677 DW, Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry," EPA 821/R-04/001, January 2004 (referred to as "OI Analytical Method OIA-1677"), referenced in Section 611.611.
BOARD NOTE: Also available online for download from www.epa.gov/waterscience/methods/method/cyanide/1677-2004.pdf.

APHA. American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005 202-777-2742.

"Standard Methods for the Examination of Water and Wastewater," 17th Edition, 1989 (referred to as "Standard Methods, 17th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 18th Edition, 1992, including "Supplement to the 18th Edition of Standard Methods for the Examination of Water and Wastewater," 1994 (collectively referred to as "Standard Methods, 18th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 19th Edition, 1995 (referred to as "Standard Methods, 19th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 20th Edition, 1998 (referred to as "Standard Methods, 20th ed."). See the methods listed separately for the same references under American Waterworks Association.

"Standard Methods for the Examination of Water and Wastewater," 21st Edition, 2005 (referred to as "Standard Methods, 21st ed."). See the methods listed separately for the same references under American Waterworks Association.

American Society for Microbiology, 1752 N Street N.W., Washington, DC 20036, 202-737-3600:

"Evaluation of Enterolert for Enumeration of Enterococci in Recreational Waters," Applied and Environmental Microbiology, Oct. 1996, vol. 62, no. 10, p. 3881 (referred to as "Enterolert"), referenced in Section 611.802.

BOARD NOTE: At the table to 40 CFR 141.402(c)(2), USEPA approved the method as described in the above literature review. The method itself is embodied in the printed instructions to the proprietary kit available from IDEXX Laboratories, Inc. (accessible on-line and available by download from www.asm.org, as "Enterolert™ Procedure"). ASTM approved the method as "Standard Test Method for Enterococci in Water Using Enterolert™," which is available in two versions from ASTM: ASTM Method D6503-99 (superceded) and ASTM Method D6503-99. While it is more conventional to incorporate the method as presented in the kit instructions or as approved by ASTM by reference, the Board is constrained to incorporate the version that appears in the technical literature by reference, which is the version that USEPA has explicitly approved.

AWWA. American Water Works Association et al., 6666 West Quincy Ave., Denver, CO 80235 (303-794-7711).

"National Field Evaluation of a Defined Substrate Method for the Simultaneous Enumeration of Total Coliforms and Escherichia coli for Drinking Water: Comparison with the Standard Multiple Tube Fermentation Method," S.C. Edberg, M.J. Allen & D.B. Smith, Applied Environmental Microbiology, vol. 54, iss. 6, pp 1595-1601 (1988), referenced in Appendix D to this Part.

"Standard Methods for the Examination of Water and Wastewater," 13th Edition, 1971 (referred to as "Standard Methods, 13th ed.").

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended, and Dissolved), referenced in Section 611.720.

Method 303, Total Radioactive Strontium and Strontium 90 in Water, referenced in Section 611.720.

Method 304, Radium in Water by Precipitation, referenced in Section 611.720.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended, and Total), referenced in Section 611.720.

Method 306, Tritium in Water, referenced in Section 611.720.

"Standard Methods for the Examination of Water and Wastewater," 17th Edition, 1989 (referred to as "Standard Methods, 17th ed.").

Method 7110 B, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended, and Dissolved), referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium in Water, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium in Water by Precipitation, referenced in Section 611.720.

Method 7500-Ra C, Radium 226 by Radon in Water (Soluble, Suspended, and Total), referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed), referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90 in Water, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method (Proposed), referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method (Proposed), referenced in Section 611.720.

"Standard Methods for the Examination of Water and Wastewater," 18th Edition, 1992 (referred to as "Standard Methods, 18th ed.").

Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory and Field Methods, referenced in Section 611.611.

Method 3111 B, Metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method, referenced in Sections 611.611 and 611.612.

Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method, referenced in Section 611.611.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic

Absorption Spectrometric Method, referenced in Sections 611.611 and 611.612.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method, referenced in Sections 611.611 and 611.612.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg E, Magnesium, Calculation Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-CN^- C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN^- F, Cyanide, Cyanide-Selective Electrode Method, referenced in Section 611.611.

Method 4500-CN^- G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.531.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.531.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Section 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.531.

Method 4500-ClO_2 C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO_2 D, Chlorine Dioxide, DPD Method, referenced in Section 611.531.

Method 4500-ClO_2 E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.531.

Method 4500-F^- B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.

Method 4500-F^- C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F^- D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F^- E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H^+ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO_2^- B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO_3^- D**,** Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO_3^- E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO_3^- F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O_3 B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.

Method 4500-Si D, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-Si E, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity

(Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed), referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method (Proposed), referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method (Proposed), referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate

Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter

Procedure, referenced in Section 611.531.

Method 9223, Chromogenic Substrate Coliform Test (Proposed) (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.526, and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (Proposed), referenced in Section 611.1004.

"Supplement to the 18th Edition of Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 1994.

Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.

"Standard Methods for the Examination of Water and Wastewater," 19th Edition, 1995 (referred to as "Standard Methods, 19th ed.").

Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory, and Field Methods, referenced in Section 611.611.

Method 3111 B, Metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method, referenced in Sections 611.611 and 611.612.

Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame

Method, referenced in Section 611.611.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method, referenced in Sections 611.611 and 611.612.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method, referenced in Sections 611.611 and 611.612.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg E, Magnesium, Calculation Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric

Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Sections 611.381 and 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Sections 611.381 and 611.531.

Method 4500-ClO_2 C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO_2 D, Chlorine Dioxide, DPD Method, referenced in Sections 611.381 and 611.531.

Method 4500-ClO_2 E, Chlorine Dioxide, Amperometric Method II, referenced in Sections 611.381 and 611.531.

Method 4500-CN^- C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN^- F, Cyanide, Cyanide-Selective Electrode Method, referenced in Section 611.611.

Method 4500-CN^- G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-F^- B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.

Method 4500-F^- C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F^- D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F^- E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H^+ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO_2^- B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO_3^- D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO_3^- E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO_3^- F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O_3 B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.

Method 4500-Si D, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-Si E, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 5310 B, TOC, Combustion-Infrared Method, referenced in Section 611.381.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, referenced in Section 611.381.

Method 5310 D, TOC, Wet-Oxidation Method, referenced in Section 611.381.

Method 5910 B, UV Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Section 611.381.

Method 6251 B, Disinfection Byproducts: Haloacetic Acids and Trichlorophenol, Micro Liquid-Liquid Extraction Gas Chromatographic Method, referenced in Section 611.381.

Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Gross Beta Radioactivity, Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7120 B, Gamma-Emitting Radionuclides, Gamma Spectrometric Method, referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method, referenced in Section 611.720.

Method 7500-Sr B, Total Radiactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method, referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method, referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9222 G, Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures, referenced in Section 611.526.

Method 9223, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (Proposed), referenced in Section 611.1004.

"Supplement to the 19th Edition of Standard Methods for the Examination of Water and Wastewater," American Public Health Association, 1996.

Method 5310 B, TOC, Combustion-Infrared Method, referenced in Section 611.381.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, referenced in Section 611.381.

Method 5310 D, TOC, Wet-Oxidation Method, referenced in Section 611.381.

"Standard Methods for the Examination of Water and Wastewater," 20th Edition, 1998 (referred to as "Standard Methods, 20th ed.").

Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory, and Field Methods, referenced in Section 611.611.

Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method, referenced in Sections 611.611 and 611.612.

Method 3500-Ca B, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg B, Magnesium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-CN^- C, Cyanide, Total Cyanide after Distillation, referenced in Section 611.611.

Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

Method 4500-CN F, Cyanide, Cyanide-Selective Electrode Method, referenced in Section 611.611.

Method 4500-CN^- G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.531.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.531.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.531.

Method 4500-Cl H, Chlorine, Syringaldazine (FACTS) Method, referenced in Section 611.531.

Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.531.

Method 4500-ClO_2 C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO_2 D, Chlorine Dioxide, DPD Method, referenced in Section 611.531.

Method 4500-ClO_2 E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.531.

Method 4500-F^- B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.

Method 4500-F^- C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F^- D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F^- E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H^+ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO_2^- B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO_3^- D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO_3^- E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-NO_3^- F, Nitrogen (Nitrate), Automated Cadmium Reduction Method, referenced in Section 611.611.

Method 4500-O_3 B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.

Method 4500-Si C, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-Si D, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-Si E, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 5310 B, TOC, Combustion-Infrared Method, referenced in Section 611.381.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, referenced in Section 611.381.

Method 5310 D, TOC, Wet-Oxidation Method, referenced in Section 611.381.

Method 5910 B, UV-Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Sections 611.381 and 611.382.

Method 6251, Disinfection By-Products: Haloacetic Acids and Trichlorophenol, referenced in Section 611.381.

Method 6610, Carbamate Pesticide Method, referenced in Section 611.645.

Method 6651, Glyphosate Herbicide (Proposed), referenced in Section 611.645.

Method 7110 B, Gross Alpha and Gross Beta Radioactivity, Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7120, Gamma-Emitting Radionuclides, referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method, referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method, referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method, referenced in Section 611.720.

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method, referenced in Section 611.531.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Sections 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9221 F, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia Coli Procedure (Proposed), referenced in Section 611.802.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9222 G, Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures, referenced in Section 611.526.

Method 9223, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.526, 611.802, and 611.1004.

Method 9230 B, Fecal Streptococcus and Enterococcus Groups, Multiple Tube Techniques, referenced in Section 611.802.

Method 9230 C, Fecal Streptococcus and Enterococcus Groups, Membrane Filter Techniques, referenced in Section 611.802.

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Method 2130 B, Turbidity, Nephelometric Method, referenced in Section 611.531.

Method 2320 B, Alkalinity, Titration Method, referenced in Section 611.611.

Method 2510 B, Conductivity, Laboratory Method, referenced in Section 611.611.

Method 2550, Temperature, Laboratory, and Field Methods, referenced in Section 611.611.

Method 3111 B, Metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method, referenced in Sections 611.611 and 611.612.

Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method, referenced in Section 611.611.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method, referenced in Sections 611.611 and 611.612.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride

Generation/Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method, referenced in Sections 611.611 and 611.612.

Method 3500-Ca B, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method, referenced in Section 611.611.

Method 3500-Mg B, Magnesium, Calculation Method, referenced in Section 611.611.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity, referenced in Section 611.611.

Method 4500-Cl D, Chlorine, Amperometric Titration Method, referenced in Section 611.381.

Method 4500-Cl E, Chlorine, Low-Level Amperometric Titration Method, referenced in Section 611.381.

Method 4500-Cl F, Chlorine, DPD Ferrous Titrimetric Method, referenced in Section 611.381.

Method 4500-Cl G, Chlorine, DPD Colorimetric Method, referenced in Section 611.381.

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Method 4500-Cl I, Chlorine, Iodometric Electrode Method, referenced in Section 611.381.

Method 4500-ClO_2 C, Chlorine Dioxide, Amperometric Method I, referenced in Section 611.531.

Method 4500-ClO_2 E, Chlorine Dioxide, Amperometric Method II (Proposed), referenced in Section 611.381.

Method 4500-CN^- E, Cyanide, Colorimetric Method, referenced in Section 611.611.

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Method 4500-CN^- G, Cyanide, Cyanides Amenable to Chlorination after Distillation, referenced in Section 611.611.

Method 4500-F^- B, Fluoride, Preliminary Distillation Step, referenced in Section 611.611.

Method 4500-F^- C, Fluoride, Ion-Selective Electrode Method, referenced in Section 611.611.

Method 4500-F^- D, Fluoride, SPADNS Method, referenced in Section 611.611.

Method 4500-F^- E, Fluoride, Complexone Method, referenced in Section 611.611.

Method 4500-H^+ B, pH Value, Electrometric Method, referenced in Section 611.611.

Method 4500-NO_2^- B, Nitrogen (Nitrite), Colorimetric Method, referenced in Section 611.611.

Method 4500-NO_3^- D, Nitrogen (Nitrate), Nitrate Electrode Method, referenced in Section 611.611.

Method 4500-NO_3^- E, Nitrogen (Nitrate), Cadmium Reduction Method, referenced in Section 611.611.

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Method 4500-O_3 B, Ozone (Residual) (Proposed), Indigo Colorimetric Method, referenced in Section 611.531.

Method 4500-P E, Phosphorus, Ascorbic Acid Method, referenced in Section 611.611.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method, referenced in Section 611.611.

Method 4500-SiO_2 C, Silica, Molybdosilicate Method, referenced in Section 611.611.

Method 4500-SiO_2 D, Silica, Heteropoly Blue Method, referenced in Section 611.611.

Method 4500-SiO_2 E, Silica, Automated Method for Molybdate-Reactive Silica, referenced in Section 611.611.

Method 5310 B, TOC, Combustion-Infrared Method, referenced in Section 611.381.

Method 5310 C, TOC, Persulfate-Ultraviolet Oxidation Method, referenced in Section 611.381.

Method 5310 D, TOC, Wet-Oxidation Method, referenced in Section 611.381.

Method 5910 B, UV-Absorbing Organic Constituents, Ultraviolet Absorption Method, referenced in Sections 611.381 and 611.382.

Method 6251, Disinfection By-Products: Haloacetic Acids and Trichlorophenol, referenced in Section 611.381.

Method 6610, Method 6610 B, Carbamate Pesticide Method, referenced in Section 611.645.

Method 6640 B, Acidic Herbicide Compounds, Micro Liquid-Liquid Extraction Gas Chromatographic Method, referenced in Section 611.645.

Method 7110 B, Gross Alpha and Gross Beta Radioactivity, Evaporation Method for Gross Alpha-Beta, referenced in Section 611.720.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed), referenced in Section 611.720.

Method 7120, Gamma-Emitting Radionuclides, referenced in Section 611.720.

Method 7500-Cs B, Radioactive Cesium, Precipitation Method, referenced in Section 611.720.

Method 7500-^{3}H B, Tritium, Liquid Scintillation Spectrometric Method, referenced in Section 611.720.

Method 7500-I B, Radioactive Iodine, Precipitation Method, referenced in Section 611.720.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method, referenced in Section 611.720.

Method 7500-I D, Radioactive Iodine, Distillation Method, referenced in Section 611.720.

Method 7500-Ra B, Radium, Precipitation Method, referenced in Section 611.720.

Method 7500-Ra C, Radium, Emanation Method, referenced in Section 611.720.

Method 7500-Ra D, Radium, Sequential Precipitation Method, referenced in Section 611.720.

Method 7500-Sr B, Total Radioactive Strontium and Strontium 90, Precipitation Method, referenced in Section 611.720.

Method 7500-U B, Uranium, Radiochemical Method, referenced in Section 611.720.

Method 7500-U C, Uranium, Isotopic Method, referenced in Section 611.720.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique, referenced in Sections 611.526 and 611.531.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of Bacterial Density, referenced in Sections 611.526 and 611.531.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test, referenced in Section 611.526.

Method 9221 E, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Fecal Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9221 F, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Escherichia Coli Procedure (Proposed), referenced in Section 611.802.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction, referenced in Sections 611.526 and 611.531.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure, referenced in Sections 611.526 and 611.531.

Method 9222 D, Membrane Filter Technique for Members of the Coliform Group, Fecal Coliform Membrane Filter Procedure, referenced in Section 611.531.

Method 9222 G, Membrane Filter Technique for Members of the Coliform Group, MF Partition Procedures, referenced in Section 611.526.

Method 9223, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.526 and 611.531.

Method 9223 B, Chromogenic Substrate Coliform Test (also referred to as the variations "Autoanalysis Colilert System" and "Colisure Test"), referenced in Sections 611.526, 611.802, and 611.1004.

BOARD NOTE: See the Board note appended to Standard Methods Online in this Section about methods that appear in Standard Methods, 21st ed. which USEPA has cited as available from Standard Methods Online.

BOARD NOTE: Individual Methods from Standard Methods are available online from Standard Methods Online.

Analytical Technology, Inc. ATI Orion, 529 Main Street, Boston, MA 02129.

Technical Bulletin 601, "Standard Method of Testing for Nitrate in Drinking Water," July, 1994, PN 221890-001 (referred to as "Technical Bulletin 601"), referenced in Section 611.611.

ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 (610-832-9585).

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ASTM Method D511-03 A and B, "Standard Test Methods for Calcium and Magnesium in Water," "Test Method A − Complexometric Titration" & "Test Method B − Atomic Absorption Spectrophotometric," approved 2003, referenced in Section 611.611.

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ASTM Method D515-88 A, "Standard Test Methods for Phosphorus in Water," "Test Method A − Colorimetric Ascorbic Acid Reduction," approved August 19, 1988, referenced in Section 611.611.

ASTM Method D859-94, "Standard Test Method for Silica in Water," approved 1994, referenced in Section 611.611.

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ASTM Method D1125-95 (1999) A, "Standard Test Methods for Electrical Conductivity and Resistivity of Water," "Test Method A − Field and Routine Laboratory Measurement of Static (Non-Flowing) Samples," approved 1995, reapproved 1999, referenced in Section 611.611.

ASTM Method D1179-93 B, "Standard Test Methods for Fluoride in Water," "Test Method B − Ion Selective Electrode," approved 1993, referenced in Section 611.611.

ASTM Method D1179-99 B, "Standard Test Methods for Fluoride in Water," "Test Method B − Ion Selective Electrode," approved 1999, referenced in Section 611.611.

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ASTM Method D2036-06 A or B, "Standard Test Methods for Cyanide in Water," "Test Method A − Total Cyanides after Distillation" & "Test Method B − Cyanides Amenable to Chlorination by Difference," approved 2006, referenced in Section 611.611.

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ASTM Method D2460-90, "Standard Test Method for Radionuclides of Radium in Water," approved 1990, referenced in Section 611.720.

ASTM Method D2460-07, "Standard Test Method for Radionuclides of Radium in Water," approved 2007, referenced in Section 611.720.

ASTM Method D2907-91, "Standard Test Methods for Microquantities of Uranium in Water by Fluorometry," "Test Method A − Direct Fluorometric" & "Test Method B − Extraction," approved June 15, 1991, referenced in Section 611.720.

ASTM Method D2972-97 B or C, "Standard Test Methods for Arsenic in Water," "Test Method B − Atomic Absorption, Hydride Generation" & "Test Method C − Atomic Absorption, Graphite Furnace," approved 1997, referenced in Section 611.611.

ASTM Method D2972-03 B or C, "Standard Test Methods for Arsenic in Water," "Test Method B − Atomic Absorption, Hydride

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ASTM Method D2972-08 B or C, "Standard Test Methods for Arsenic in Water," "Test Method B − Atomic Absorption, Hydride Generation" & "Test Method C − Atomic Absorption, Graphite Furnace," approved 2008, referenced in Section 611.611.

ASTM Method D3223-97, "Standard Test Method for Total Mercury in Water," approved 1997, referenced in Section 611.611.

ASTM Method D3223-02, "Standard Test Method for Total Mercury in Water," approved 2002, referenced in Section 611.611.

ASTM Method D3454-97, "Standard Test Method for Radium-226 in Water," approved 1997, referenced in Section 611.720.

ASTM Method D3454-05, "Standard Test Method for Radium-226 in Water," approved 2005, referenced in Section 611.720.

ASTM Method D3559-96 D, "Standard Test Methods for Lead in Water," "Test Method D − Atomic Absorption, Graphite Furnace," approved August 6, 1990, referenced in Section 611.611.

ASTM Method D3559-03 D, "Standard Test Methods for Lead in Water," "Test Method D − Atomic Absorption, Graphite Furnace," approved 2003, referenced in Section 611.611.

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ASTM Method D3859-98 A, "Standard Test Methods for Selenium in Water," "Method A − Atomic Absorption, Hydride Method," approved 1998, referenced in Section 611.611.

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Charm Sciences, Inc., 659 Andover St., Lawrence, MA 01843-1032:

"Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," January 9, 1998 (referred to as "E*Colite Test"), referenced in Section 611.802 (also available from USEPA, Water Resource Center).

CPI International, Inc., 5580 Skylane Blvd., Santa Rosa, CA 95403 (800-878-7654 /fax: 707-545-7901/Internet address: www.cpiinternational.com).

"Colitag® Product as a Test for Detection and Identification of Coliforms and E. coli Bacteria in Drinking Water and Source Water as Required in National Primary Drinking Water Regulations," August 2001, referenced in Section 611.526.

"Modified Colitag™ Test Method for Simultaneous Detection of E. coli and other Total Coliforms in Water (ATP D05-0035)," August 2009 (referred to as "Modified Colitag™ Method"), referenced in Sections 611.526 and 611.802. See also NEMI.

EMD Chemicals Inc. (an affiliate of Merck KGgA, Darmstadt, Germany), 480 S. Democrat Road, Gibbstown, NJ 08027–1297. (800-222-0342/e-mail:adellenbusch@emscience.com).

"Chromocult® Coliform Agar Presence/Absence Membrane Filter Test Method for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," November 2000 referred to as "Chromocult® Method, Version 1.0, referenced in Sections 611.526 and 611.802.

"Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," November 2000 (referred to as Readycult® 2000), Version 1.0, referenced in Section 611.526.

"Readycult Coliforms 100 Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Finished Waters," Version 1.1, January 2007 (referred to as Readycult® 2007), referenced in Section 611.802.

Georgia Tech Research Institute, Robert Rosson, 925 Dalney Road, Atlanta, GA 30332 (404-407-6339).

"The Determination of Radium-226 and Radium-228 in Drinking Water by Gamma-ray Spectrometry Using HPGE or Ge(Li) Detectors," Revision 1.2, December 2004 (called "Georgia Radium Method"), referenced in Section 611.720.

Great Lakes Instruments, Inc., 8855 North 55th Street, Milwaukee, WI 53223.

GLI Method 2, "Turbidity," Nov. 2, 1992, referenced in Section 611.531.

H&E Testing Laboratory, 221 State Street, Augusta, ME 04333 (207-287-2727).

Method ME355.01, Revision 1, "Determination of Cyanide in Drinking Water by GC/MS Headspace Analysis," May 2009, referenced in Section 611.611. See also NEMI.

The Hach Company, P.O. Box 389, Loveland, CO 80539-0389 (800-227-4224/Internet address: www.hach.com).

"Lead in Drinking Water by Differential Pulse Anodic Stripping Voltammetry," Method 1001, August 1999, referenced in Section 611.611.

"Determination of Turbidity by Laser Nephelometry," January 2000, Revision 2.0 (referred to as "Hach FilterTrak Method 10133"), referenced in Section 611.531.

"Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," Method No. 10029, Revision 2, August 17,

1999 (referred to as "m-ColiBlue24 Test"), referenced in Section 611.802 (also available from USEPA, Water Resource Center).

"Fluoride, USEPA SPADNS 2 Method 10225," revision 2.0, January 2011 (referred to as "Hach SPADNS 2 Method 10225"), referenced in Section 611.611.

"Hach Company TNTplus 835/836 Nitrate Method 10206 – Spectrophotometric Measurement of Nitrate in Water and Wastewater," revision 2.0, January 2011 (referred to as "Hach TNTplus 835/836 Method 10206"), referenced in Section 611.611.

IDEXX Laboratories, Inc., One IDEXX Drive, Westbrook, Maine 04092 (800-321-0207).

"IDEXX SimPlate TM HPC Test Method for Heterotrophs in Water," November 2000 (referred to as "SimPlate method"), referenced in Section 611.531.

Industrial Test Systems, Inc., 1875 Langston St., Rock Hill, SC 29730.

Method D99-003, Revision 3.0, "Free Chlorine Species ($HOCl^-$ and OCl^-) by Test Strip," November 21, 2003 (referred to as "ITS Method D99-003"), referenced in Section 611.381.

Lachat Instruments, 6645 W. Mill Rd., Milwaukee, WI 53218 (414-358-4200).

"Digestion and distillation of total cyanide in drinking and wastewaters using MICRO DIST and determination of cyanide by flow injection analysis," Revision 2.1, November 30, 2000 (referred to as "QuikChem Method 10-204-00-1-X"), referenced in Section 611.611.

Leck Mitchell, PhD, PE, 656 Independence Valley Dr., Grand Junction, CO 81507. See also NEMI.

Mitchell Method M5271, "Determination of Turbidity by Laser Nephelometry," March 2009, referenced in Section 611.531.

Mitchell Method M5331, "Determination of Turbidity by LED Nephelometry," March 2009, referenced in Section 611.531.

Millipore Corporation, Technical Services Department, 80 Ashby Road, Milford, MA 01730 (800-654-5476).

Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water, February 28, 1994 (referred to as "Colisure Test"), referenced in Section 611.526.

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301-657-2652).

NCRP Report Number 22, "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," NCRP Report Number 22, June 5, 1959, referenced in Section 611.101.

NEMI. National Environmental Method Index (on-line at www.nemi.gov).

AMI Turbiwell Method, "Continuous Measurement of Turbidity Using a SWAN AMI Turbiwell Turbidimeter," August 2009. See also SWAN Analytische Instrumente AG.

Method ME355.01, Revision 1, "Determination of Cyanide in Drinking Water by GC/MS Headspace Analysis," May 2009, referenced in Section 611.611. See also H&E Testing Laboratory.

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Modified Colitag™ Method, "Modified Colitag™ Test Method for Simultaneous Detection of E. coli and other Total Coliforms in Water (ATP D05-0035)," August 2009, referenced in Sections 611.526 and 611.802. See also CPI International, Inc.

Orion Method AQ4500, "Determination of Turbidity by LED Nephelometry," May 2009, referenced in Section 611.531. See also Thermo Scientific.

Palintest ChloroSense, "Measurement of Free and Total Chlorine in Drinking Water by Palintest ChloroSense," September 2009 (referred to as "Palintest ChloroSense"), referenced in Sections 611.381 and 611.531. See also Palintest.

"Systea Easy (1-Reagent) Nitrate Method," referenced in Section 611.611. See also Systea Scientific, LLC.

NSF. National Sanitation Foundation International, 3475 Plymouth Road, PO Box 130140, Ann Arbor, Michigan 48113-0140 (734-769-8010).

NSF Standard 61, section 9, November 1998, referenced in Sections 611.126 and 611.356.

NTIS. National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161 (703-487-4600 or 800-553-6847).

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"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for

Occupational Exposure," NBS (National Bureau of Standards) Handbook 69, as amended August 1963, U.S. Department of Commerce, referenced in Section 611.330.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," H.L. Krieger and S. Gold, EPA-R4-73-014, May 1973, Doc. No. PB222-154/7BA, referenced in Section 611.720.

USEPA Asbestos Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water," EPA 600/4-83-043, September 1983, Doc. No. PB83-260471, referenced in Section 611.611. See also USEPA, NSCEP.

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USEPA Environmental Inorganic Methods, "Methods for the Determination of Inorganic Substances in Environmental Samples," August 1993, EPA 600/R-93-100, Doc. No. PB94-121811, referenced in Sections 611.381, 611.531, and 611.611. (Methods 180.1 (rev. 2.0), 300.0 (rev. 2.1), 335.4 (rev. 1.0), 353.2 (rev. 2.0), and 365.1 (rev. 2.0) only.) See also USEPA, NSCEP.

USEPA Environmental Metals Methods, "Methods for the Determination of Metals in Environmental Samples − Supplement I," May 1994, EPA 600/R-94-111, Doc. No. PB95-125472, referenced in Sections 611.611, 611.612, and 611.720. (Methods 200.7 (rev. 4.4), 200.8 (rev. 5.3), 200.9 (rev. 2.2), and 245.1 (rev. 3.0) only.) See also USEPA, NSCEP.

USEPA Inorganic Methods, "Methods for Chemical Analysis of Water and Wastes," March 1983, EPA 600/4-79-020, Doc. No. PB84-128677 (Methods 150.1, 150.2, and 245.2 only.), referenced in Section 611.611. See also USEPA, NSCEP.

USEPA Interim Radiochemical Methods, "Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75-008 (revised), Doc. No. PB253258, March 1976, referenced in Section 611.720.

USEPA OGWDW Methods, Method 326.0, Revision 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," June 2002, EPA 815/R-03/007, Doc. No. PB2003-107402, referenced in Sections 611.381 and 611.382. See also USEPA, NSCEP and USEPA, OGWDW.

USEPA Organic and Inorganic Methods, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000, EPA 815/R-00/014, Doc. No. PB2000-106981, referenced in Section 611.381. (For methods 300.1 (rev. 1.0) and 321.8 (rev. 1.0).) See also USEPA, NSCEP.

USEPA Organic Methods, "Methods for the Determination of Organic Compounds in Drinking Water," December 1988 (revised July 1991), EPA 600/4-88/039, Doc. No. PB91-231480, referenced in Sections 611.645 and 611.648 (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0) only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement I," July 1990, EPA 600/4-90/020, Doc. No. PB91-146027, referenced in Section 611.645 (Methods 547, 550, and 550.1 only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement II," August 1992, EPA 600/R-92/129, Doc. No. PB92-207703, referenced in Sections 611.381 and 611.645. (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0) only); and "Methods for the Determination of Organic Compounds in Drinking Water − Supplement III," August 1995, EPA 600/R-95/131, Doc. No. PB95-261616, referenced in Sections 611.381, 611.645, and 611.648 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev. 1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 1.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 531.1 (rev. 3.1), 551.1 (rev. 1.0), and 552.2 (rev. 1.0) only.) See also USEPA, EMSL and USEPA, NSCEP.

USEPA Radioactivity Methods, "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," EPA 600/4-80/032, August 1980, Doc. No. PB80-224744, referenced in Section 611.720 (Methods 900.0, 901.0, 901.1, 902.0, 903.0, 903.1, 904.0, 905.0, 906.0, 908.0, 908.1). See also USEPA, NSCEP.

USEPA Radiochemical Analyses, "Radiochemical Analytical Procedures for Analysis of Environmental Samples," March 1979, Doc. No. EMSL LV 053917, referenced in Section 611.720. (Pages 1-5, 19-32, 33-48, 65-73, 87-91, and 92-95 only.)

USEPA Radiochemistry Procedures, "Radiochemistry Procedures Manual," EPA 520/5-84-006, August 1984, Doc. No. PB84-215581 (referred to as ""), referenced in Section 611.720. (Methods 00-01, 00-02, 00-07, H-02, Ra-03, Ra-04, Ra-05, Sr-04 only.)

USEPA Technical Notes, "Technical Notes on Drinking Water Methods," EPA 600/R-94/173, October 1994, Doc. No. PB95-104766, referenced in Sections 611.531, 611.611, and 611.645. See also USEPA, NSCEP.

BOARD NOTE: USEPA made the following assertion with regard to this reference at 40 CFR 141.23(k)(1) and 141.24(e) and (n)(11) (2010~~2009~~): "This document contains other analytical test procedures and approved analytical methods that remain available for compliance monitoring until July 1, 1996." Also available online at http://nepis.epa.gov/EPA/html/Pubs/pubtitleORD.htm under the document designation "600R94173."

New Jersey Department of Environment, Division of Environmental Quality, Bureau of Radiation and Inorganic Analytical Services, 9 Ewing Street, Trenton, NJ 08625.

"Determination of Radium 228 in Drinking Water," August 1990 (referred to as "New Jersey Radium Method"), referenced in Section 611.720.

New York Department of Health, Radiological Sciences Institute, Center for Laboratories and Research, Empire State Plaza, Albany, NY 12201.

"Determination of Ra-226 and Ra-228 (Ra-02)," January 1980, Revised June 1982 (referred to as "New York Radium Method"), referenced in Section 611.720.

Palintest, Ltd., 21 Kenton Lands Road, P.O. Box 18395, Erlanger, KY (800-835-9629).

Palintest Method 1001, "Lead in Drinking Water by Differential Pulse Anodic Stripping Voltammetry," Method 1001, August 1999, referenced in Section 611.611.

Palintest ChloroSense, "Measurement of Free and Total Chlorine in Drinking Water by Palintest ChloroSense," September 2009, referenced in Sections 611.381 and 611.531. See also NEMI.

Standard Methods Online, available online from the Standard Methods Organization at www.standardmethods.org.

Method 3113 B-04, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method, referenced in Sections 611.611 and 611.612.

Method 3114 B-04, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method, referenced in Section 611.611.

Method 6610 B-04, Carbamate Pesticides, High-Performance Liquid Chromatographic Method, referenced in Section 611.645.

Method 9230 B-04, Fecal Streptococcus and Enterococcus Groups, Multiple Tube Techniques, referenced in Section 611.802.

BOARD NOTE: Where, in appendix A to subpart C of 40 CFR 141 (2011), USEPA has authorized use of an approved alternative method from Standard Methods Online, and that version of the method appears also in Standard Methods, 21st ed., the Board cites

only to Standard Methods, 21st ed. for that method. The methods that USEPA listed as available from Standard Methods Online, and which are listed above as in Standard Methods, 21st edition, are the following: 4500-P E-99 and~~,~~ 4500-P F-99; (for orthophosphate); 4500-SO_4^{-2} C-97, 4500-SO_4^{-2} D-97, 4500-SO_4^{-2} E-97, and 4500-SO_4^{-2} F-97 (for sulfate);~~,~~ 6640 B-01 (for 2,4-D, 2,4,5-TP (silvex) (dalapon, dinoseb, pentachlorophenol, and picloram); 5561 B-00 (for glyphosate);~~,~~ and 9223 B-97 (for E. coli). Since each method is the same version from both sources, the Board views a copy from Standard Methods Online as equivalent to a copy from Standard Methods Online, even though the Board does not also cite to Standard Methods Online. The Board intends that use of the version of the method that is incorporated by reference is acceptable from either source ~~is acceptable~~.

SWAN Analytische Instrumente AG, Studbachstrasse 13, CH-8340, Hinwil, Switzerland.

AMI Turbiwell Method, "Continuous Measurement of Turbidity Using a SWAN AMI Turbiwell Turbidimeter," August 2009, referenced in Section 611.531. See also NEMI.

Syngenta Crop Protection, Inc., 410 Swing Road, Post Office Box 18300, Greensboro, NC 27419 (336-632-6000).

"Atrazine in Drinking Water by Immunoassay," February 2001 (referred to as "Syngenta AG-625"), referenced in Section 611.645.

Systea Scientific LLC, 900 Jorie Blvd., Suite 35, Oak Brook, IL 60523.

Systea Easy (1-Reagent), "Systea Easy (1-Reagent) Nitrate Method,~~.~~" February 2009, referenced in Section 611.611. See also NEMI.

Thermo Scientific, 166 Cummings Center, Beverly, MA 01915~~.~~ (www.thermo.com).

Orion Method AQ4500, "Determination of Turbidity by LED Nephelometry," May 2009, referenced in Section 611.531. See also NEMI.

USDOE, EML. United States Department of Energy, Environmental Measurements Laboratory, U.S. Department of Energy, 376 Hudson Street, New York, NY 10014-3621.

"EML Procedures Manual," HASL 300, 27th Edition, Volume 1, 1990 (referred to as "EML Procedures Manual (27th ed.)"), referenced in Section 611.720.

"EML Procedures Manual," HASL 300, 28th ed., 1997 (referred to as "EML Procedures Manual (28th ed.)"), referenced in Section 611.720.

USEPA, EMSL. United States Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Cincinnati, OH 45268 (513-569-7586).

USEPA Interim Radiochemical Methods, "Interim Radiochemical Methodology for Drinking Water," EPA 600/4-75/008 (revised), March 1976, referenced in Section 611.720. See also NTIS.

USEPA Organic Methods, "Methods for the Determination of Organic Compounds in Drinking Water," December 1988 (revised July 1991), EPA 600/4-88/039, referenced in Sections 611.645 and 611.648 (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0) only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement I," July 1990, EPA 600/4-90/020, referenced in Sections 611.645 and 611.648 (Methods 547, 550, and 550.1 only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement II," August 1992, EPA 600/R-92/129, referenced in Sections 611.381 and 611.645 (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0) only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement III," August 1995, EPA 600/R-95/131, referenced in Sections 611.381, 611.645, and 611.648 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev.

1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 4.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 551.1 (rev. 1.0), and 552.2 (rev. 1.0) only). See also NTIS and USEPA, NSCEP.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," referenced in Section 611.720. See also NTIS.

USEPA, NSCEP. United States Environmental Protection Agency, National Service Center for Environmental Publications, P.O. Box 42419, Cincinnati, OH 45242-0419 (accessible on-line and available by download from http://www.epa.gov/nscep/).

Dioxin and Furan Method 1613, Revision B, "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope Dilution HRGC/HRMS," October 1994, EPA 821/B-94/005, referenced in Section 611.645. See also NTIS.

Guidance Manual for Filtration and Disinfection, "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems Using Surface Water Sources," March 1991, EPA 570/3-91-001, referenced in Section 611.111.

USEPA Asbestos Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water," September 1983, EPA 600/4-83-043, referenced in Section 611.611. See also NTIS.

USEPA Asbestos Method 100.2, "Determination of Asbestos Structures over 10-mm in Length in Drinking Water," June 1994, EPA 600/R-94-134, referenced in Section 611.611. See also NTIS.

USEPA Environmental Inorganic Methods, "Methods for the Determination of Inorganic Substances in Environmental Samples," August 1993, EPA 600/R-93-100, referenced in Sections 611.381, 611.531, and 611.611. (Methods 180.1 (rev. 2.0), 300.0 (rev. 2.1), 335.4 (rev. 1.0), 353.2 (rev. 2.0), and 365.1 (rev. 2.0) only.) See also NTIS.

USEPA Environmental Metals Methods, "Methods for the Determination of Metals in Environmental Samples − Supplement I," May 1994, EPA 600/R-94-111, referenced in Sections 611.611, 611.612, and 611.720. (Methods 200.7 (rev. 4.4), 200.8 (rev. 5.3), 200.9 (rev. 2.2), and 245.1 (rev. 3.0) only.) See also NTIS.

USEPA Inorganic Methods, "Methods for Chemical Analysis of Water and Wastes," March 1983, EPA 600/4-79-020, referenced in Section 611.611. (Methods 150.1, 150.2, and 245.2 only.) See also NTIS.

USEPA OGWDW Methods, Method 302.0, "Determination of Bromate in Drinking Water Using Two-Dimensional Ion Chromatography with Suppressed Conductivity Detection," September 2009, EPA 815/B-09/014, referenced in Sections 611.381 and 611.382. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 317.0, rev. 2.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," July 2001, EPA 815/B-01/001, referenced in Sections 611.381 and 611.382. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 326.0, rev. 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," June 2002, EPA 815/R-03/007, referenced in Sections 611.381 and 611.382. See also NTIS and USEPA, OGWDW.

USEPA OGWDW Methods, Method 327.0, rev. 1.1, "Determination of Chlorine Dioxide and Chlorite Ion in Drinking Water Using Lissamine Green B and Horseradish Peroxidase with Detection by Visible Spectrophotometry," May 2005, EPA 815/R-05/008, referenced in Sections 611.381 and 611.531. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 334.0, "Determination of Residual in Drinking Water Using an On-line Chlorine Analyzer," August 2009, EPA 815/B-09/013, referenced in Section 611.531. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 531.2, rev. 1.0, "Measurement of N-methylcarbamoyloximes and N-methylcarbamates in Water by Direct Aqueous Injection HPLC with Postcolumn Derivatization," September 2001, EPA 815/B-01/002 (document file name "met531_2.pdf"), referenced in Section 611.645. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 552.3, rev. 1.0, "Determination of Haloacetic Acids and Dalapon in Drinking Water by Liquid-Liquid Microextraction, Derivatization, and Gas Chromatography with Electron Capture Detection," July 2003, EPA 815/B-03/002, referenced in Sections 611.381 and 611.645.

USEPA OGWDW Methods, Method 557, "Determination of Haloacetic Acids, Bromate, and Dalapon in Drinking Water by Ion Chromatography Electrospray Ionization Tandem Mass Spectrometry," July 2003, EPA 815/B-03/002, referenced in Sections 611.381, 611.382, and 611.645. See also USEPA, OGWDW.

USEPA OGWDW Methods, Method 1622 (01), "Cryptosporidium in Water by Filtration/IMS/FA," April 2001, EPA 821/R-01/026, referenced in Section 611.1007. See also USEPA, OGWDW.

USEPA Organic and Inorganic Methods, "Methods for the Determination of Organic and Inorganic Compounds in Drinking Water, Volume 1," August 2000, EPA 815/R-00/014, referenced in Section 611.381. (Methods 300.1 (rev. 1.0) and 321.8 (rev. 1.0) only.) See also NTIS.

USEPA Organic Methods, "Methods for the Determination of Organic Compounds in Drinking Water," December 1988, revised July 1991, EPA 600/4-88/039, referenced in Sections 611.645 and

611.648 (Methods 508A (rev. 1.0) and 515.1 (rev. 4.0) only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement I," July 1990, EPA 600/4-90/020, referenced in Section 611.645 and 611.648 (Methods 547, 550, and 550.1 only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement II," August 1992, EPA 600/R-92/129, referenced in Sections 611.381 and 611.645 (Methods 548.1 (rev. 1.0), 552.1 (rev. 1.0), and 555 (rev. 1.0) only); "Methods for the Determination of Organic Compounds in Drinking Water − Supplement III," August 1995, EPA 600/R-95/131, referenced in Sections 611.381, 611.645, and 611.648 (Methods 502.2 (rev. 2.1), 504.1 (rev. 1.1), 505 (rev. 2.1), 506 (rev. 1.1), 507 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 515.2 (rev. 4.1), 524.2 (rev. 4.1), 525.2 (rev. 2.0), 531.1 (rev. 3.1), 551.1 (rev. 1.0), and 552.2 (rev. 1.0) only). See also NTIS and USEPA, EMSL.

USEPA Radioactivity Methods, "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," August 1980, EPA 600/4-80/032, referenced in Section 611.720. (For methods 900.0, 901, 901.1, 902, 903, 903.1, 904, 905, 906, 908, 908.1 only.) See also NTIS.

USEPA Technical Notes, "Technical Notes on Drinking Water Methods," October 1994, EPA 600/R-94/173, referenced in Sections 611.531, 611.611, and 611.645. See also NTIS.

BOARD NOTE: USEPA made the following assertion with regard to this reference at 40 CFR 141.23(k)(1) and 141.24(e) and (n)(11) (2011~~2007~~): "This document contains other analytical test procedures and approved analytical methods that remain available for compliance monitoring until July 1, 1996." Also available online at http://nepis.epa.gov/EPA/html/Pubs/pubtitleORD.htm under the document designation "600R94173."

USEPA, OGWDW. United States Environmental Protection Agency, USEPA Office of Ground Water and Drinking Water (accessible on-line and available by download from http://www.epa.gov/safewater/methods/).

USEPA OGWDW Methods, Method 302.0, "Determination of Bromate in Drinking Water Using Two-Dimensional Ion Chromatography with Suppressed Conductivity Detection," September 2009, EPA 815/B-09/014, referenced in Section 611.381. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 317.0, rev. 2.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography with the Addition of a Postcolumn Reagent for Trace Bromate Analysis," USEPA, July 2001, EPA 815/B-01/001, referenced in Section 611.381. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 326.0, rev. 1.0, "Determination of Inorganic Oxyhalide Disinfection By-Products in Drinking Water Using Ion Chromatography Incorporating the Addition of a Suppressor Acidified Postcolumn Reagent for Trace Bromate Analysis," USEPA, June 2002, EPA 815/R-03/007, referenced in Section 611.381. See also NTIS and USEPA, NSCEP.

USEPA OGWDW Methods, Method 327.0, rev. 1.1, "Determination of Chlorine Dioxide and Chlorite Ion in Drinking Water Using Lissamine Green B and Horseradish Peroxidase with Detection by Visible Spectrophotometry," USEPA, May 2005, EPA 815/R-05/008, referenced in Sections 611.381 and 611.531. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 334.0, "Determination of Residual in Drinking Water Using an On-line Chlorine Analyzer," USEPA, August 2009, EPA 815/B-09/013, referenced in Section 611.531. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 515.4, rev. 1.0, "Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Microextraction, Derivatization and Fast Gas Chromatography with Electron Capture Detection," April 2000, EPA 815/B-00/001 (document file name "met515_4.pdf"), referenced in Section 611.645.

USEPA OGWDW Methods, Method 524.3, rev. 1.0, "Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry," June 2009, EPA 815/B-09/009 (referred to as "Method 524.3 (rev. 1.0)"), referenced in Sections 611.381 and 611.645.

USEPA OGWDW Methods, Method 531.2, rev. 1.0, "Measurement of N-methylcarbamoyloximes and N-methylcarbamates in Water by Direct Aqueous Injection HPLC with Postcolumn Derivatization," September 2001, EPA 815/B-01/002 (document file name "met531_2.pdf"), referenced in Section 611.645. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 552.3, rev. 1.0, "Determination of Haloacetic Acids and Dalapon in Drinking Water by Liquid-liquid Microextraction, Derivatization, and Gas Chromatography with Electron Capture Detection," USEPA, July 2003, EPA 815/B-03/002, referenced in Sections 611.381 and 611.645.

USEPA OGWDW Methods, Method 557, "Determination of Haloacetic Acids, Bromate, and Dalapon in Drinking Water by Ion Chromatography Electrospray Ionization Tandem Mass Spectrometry," July 2003, EPA 815/B-03/002, referenced in Sections 611.381 and 611.645. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 1622 (05), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," December 2005, EPA 815/R-05/001, referenced in Sections 611.1004 and 611.1007.

USEPA OGWDW Methods, Method 1622 (01), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," April 2001, EPA 821/R-01/026, referenced in Section 611.1007. See also USEPA, NSCEP.

USEPA OGWDW Methods, Method 1622 (99), "Method 1622: Cryptosporidium in Water by Filtration/IMS/FA," April 1999, EPA 821/R-99/001, referenced in Section 611.1007.

USEPA OGWDW Methods, Method 1623 (05), "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," December 2005, EPA 815/R-05/002, referenced in Sections 611.1004 and 611.1007.

USEPA OGWDW Methods, Method 1623 (01), "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," April 2001, EPA 821/R-01/025, referenced in Section 611.1007.

USEPA OGWDW Methods, Method 1623 (99), "Method 1623: Cryptosporidium and Giardia in Water by Filtration/IMS/FA," January 1999, EPA 821/R-99/006, referenced in Sections 611.1007.

BOARD NOTE: Many of the above-listed documents available from the USEPA, Office of Ground Water and Drinking Water are also listed as available from NTIS.

USEPA, ORD. USEPA, Office of Research and Development, National Exposure Research Laboratory, Microbiological & Chemical Exposure Assessment Research Division (accessible on-line and available by download from http://www.epa.gov/nerlcwww/ordmeth.htm).

USEPA NERL Method 200.5, rev. 4.2, "Determination of Trace Elements in Drinking Water by Axially Viewed Inductively Coupled Plasma − Atomic Emission Spectrometry," October 2003, EPA 600/R-06/115, referenced in Sections 611.611 and 611.612.

USEPA NERL Method 415.3, rev. 1.1, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source Water and Drinking Water," February 2005, EPA 600/R-05/055, referenced in Section 611.381.

USEPA NERL Method 415.3, rev. 1.2, "Determination of Total Organic Carbon and Specific UV Absorbance at 254 nm in Source

Water and Drinking Water," February 2005, EPA 600/R-09/122, referenced in Section 611.381.

USEPA NERL Method 549.2, rev. 1.0, "Determination of Diquat and Paraquat in Drinking Water by Liquid-Solid Extraction and High Performance Liquid Chromatography with Ultraviolet Detection," June 1997.

USEPA Water Resource Center (RC-4100T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460:

E*Colite Test, "Charm E*Colite Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia coli in Drinking Water," January 9, 1998, referenced in Section 611.802. See also Charm Sciences, Inc.

m-ColiBlue24 Test, "Total Coliforms and E. coli Membrane Filtration Method with m-ColiBlue24® Broth," Method No. 10029, rev. 2, August 17, 1999, referenced in Section 611.802. See also The Hach Company.

USEPA Method 1600, "EPA Method 1600: Enterococci in Water by Membrane Filtration Using Membrane-Enterococcus Indoxyl-b-D-Glucoside Agar (mEI)," September 2002, EPA 821/R-02/022 is an approved variation of Standard Methods, Method 9230 C, "Fecal Streptococcus and Enterococcus Groups, Membrane Filter Techniques" (which has not itself been approved for use by USEPA) (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1600sp02.pdf), referenced in Section 611.802.

USEPA Method 1601, "Method 1601: Male-specific (F^+) and Somatic Coliphage in Water by Two-step Enrichment Procedure," April 2001, EPA 821/R-01/030 (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1601ap01.pdf), referenced in Section 611.802.

USEPA Method 1602, "Method 1602: Male-specific (F^+) and Somatic Coliphage in Water by Single Agar Layer (SAL)

Procedure," April 2001, EPA 821/R-01/029 (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1602ap01.pdf), referenced in Section 611.802.

USEPA Method 1604, "Method 1604: Total Coliforms and Escherichia coli in Water by Membrane Filtration Using a Simultaneous Detection Technique (MI Medium)," September 2002, EPA 821/R-02/024 (accessible on-line and available by download from http://www.epa.gov/nerlcwww/1604sp02.pdf), referenced in Section 611.802.

USGS. Books and Open-File Reports Section, United States Geological Survey, Federal Center, Box 25286, Denver, CO 80225-0425.

Methods available upon request by method number from "Methods for Analysis by the U.S. Geological Survey National Water Quality Laboratory − Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments," Open File Report 93-125, 1993, or Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd ed., Open-File Report 85-495, 1989, as appropriate (referred to as "USGS Methods").

I-1030-85, referenced in Section 611.611.

I-1601-85, referenced in Section 611.611.

I-1700-85, referenced in Section 611.611.

I-2598-85, referenced in Section 611.611.

I-2601-90, referenced in Section 611.611.

I-2700-85, referenced in Section 611.611.

I-3300-85, referenced in Section 611.611.

Methods available upon request by method number from "Methods

for Determination of Radioactive Substances in Water and Fluvial Sediments," Chapter A5 in Book 5 of "Techniques of Water-Resources Investigations of the United States Geological Survey," 1997.

R-1110-76, referenced in Section 611.720.

R-1111-76, referenced in Section 611.720.

R-1120-76, referenced in Section 611.720.

R-1140-76, referenced in Section 611.720.

R-1141-76, referenced in Section 611.720.

R-1142-76, referenced in Section 611.720.

R-1160-76, referenced in Section 611.720.

R-1171-76, referenced in Section 611.720.

R-1180-76, referenced in Section 611.720.

R-1181-76, referenced in Section 611.720.

R-1182-76, referenced in Section 611.720.

Waters Corporation, Technical Services Division, 34 Maple St., Milford, MA 01757 (800-252-4752 or 508-482-2131, fax: 508-482-3625).

"Waters Test Method for Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography," Method B-1011, August 1987 (referred to as "Waters Method B-1011"), referenced in Section 611.611.

c) The Board incorporates the following federal regulations by reference:

40 CFR 3.2 (2011~~2010~~) (How Does This Part Provide for Electronic Reporting?), referenced in Section 611.105.

40 CFR 3.3 (2011~~2010~~) (What Definitions Are Applicable to This Part?), referenced in Section 611.105.

40 CFR 3.10 (2011~~2010~~) (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 611.105.

40 CFR 3.2000 (2011~~2010~~) (What Are the Requirements Authorized State, Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in Section 611.105.

40 CFR 136.3(a) (2011~~2010~~), referenced in Section 611.1004.

Appendix B to 40 CFR 136 (2011~~2010~~), referenced in Sections 611.359, 611.609, and 611.646.

40 CFR 142.20(b)(1) (2011~~2010~~), referenced in Section 611.112.

d) This Part incorporates no later amendments or editions.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 611.130 Special Requirements for Certain Variances and Adjusted Standards

a) Relief from the fluoride MCL.

1) In granting any variance or adjusted standard to a supplier that is a CWS from the maximum contaminant level for fluoride listed in Section 611.301(b), the Board will require application of the best available technology (BAT) identified at subsection (a)(4) of this Section for that constituent as a condition to the relief, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT is not technically appropriate and technically feasible for that supplier.

2) The Board will require the following as a condition for relief from the fluoride MCL where it does not require the application of BAT:

A) That the supplier continue to investigate the following methods as

an alternative means of significantly reducing the level of fluoride, according to a definite schedule:

i) A modification of lime softening;

ii) Alum coagulation;

iii) Electrodialysis;

iv) Anion exchange resins;

v) Well field management;

vi) The use of alternative sources of raw water; and

vii) Regionalization; and

B) That the supplier report results of that investigation to the Agency.

3) The Agency must petition the Board to reconsider or modify a variance or adjusted standard, pursuant to Subpart I of 35 Ill. Adm. Code 101, if it determines that an alternative method identified by the supplier pursuant to subsection (a)(2) of this Section is technically feasible and would result in a significant reduction in fluoride.

4) Best available technology for fluoride reduction is as follows:

A) Activated alumina absorption centrally applied; and

B) Reverse osmosis centrally applied.

BOARD NOTE: Subsection (a) derived from 40 CFR 142.61 (2011~~2003~~).

b) Relief from an IOC, VOC, or SOC MCL.

1) In granting to a supplier that is a CWS or NTNCWS any variance or adjusted standard from the maximum contaminant levels for any VOC or SOC, listed in Section 611.311(a) or (c), or for any IOC, listed in Section 611.301, the supplier must have first applied the best available technology

(BAT) identified at Section 611.311(b) (VOCs and SOCs) or Section 611.301(c) (IOCs) for that constituent, unless the supplier has demonstrated through comprehensive engineering assessments that application of BAT would achieve only a minimal and insignificant reduction in the level of contaminant.

BOARD NOTE: USEPA lists BAT for each SOC and VOC at 40 CFR 142.62(a), for the purposes of variances and exemptions (adjusted standards). That list is identical to the list at 40 CFR 141.61(b).

2) The Board may require any of the following as a condition for relief from an MCL listed in Section 611.301 or 611.311:

A) That the supplier continue to investigate alternative means of compliance according to a definite schedule; and

B) That the supplier report results of that investigation to the Agency.

3) The Agency must petition the Board to reconsider or modify a variance or adjusted standard, pursuant to Subpart I of 35 Ill. Adm. Code 101, if it determines that an alternative method identified by the supplier pursuant to subsection (b)(2) of this Section is technically feasible.

BOARD NOTE: Subsection (b) derived from 40 CFR 142.62(a) through (e)(2011~~2003~~).

c) Conditions requiring use of bottled water, a point-of-use treatment device, or a point-of-entry treatment device. In granting any variance or adjusted standard from the maximum contaminant levels for organic and inorganic chemicals or an adjusted standard from the treatment technique for lead and copper, the Board may impose certain conditions requiring the use of bottled water, a point-of-entry treatment device, or a point-of-use treatment device to avoid an unreasonable risk to health, limited as provided in subsections (d) and (e) of this Section.

1) Relief from an MCL. The Board may, when granting any variance or adjusted standard from the MCL requirements of Sections 611.301 and 611.311, impose a condition that requires a supplier to use bottled water, a point-of-entry treatment device, a point-of-use treatment device, or other means to avoid an unreasonable risk to health.

2) Relief from corrosion control treatment. The Board may, when granting an adjusted standard from the corrosion control treatment requirements for lead and copper of Sections 611.351 and 611.352, impose a condition that requires a supplier to use bottled water, a point-of-use treatment device, or other means, but not a point-of-entry treatment device, to avoid an unreasonable risk to health.

3) Relief from source water treatment or service line replacement. The Board may, when granting an exemption from the source water treatment and lead service line replacement requirements for lead and copper under Sections 611.353 or 611.354, impose a condition that requires a supplier to use a point-of-entry treatment device to avoid an unreasonable risk to health.

BOARD NOTE: Subsection (c) derived from 40 CFR 142.62(f) (2011~~2003~~).

d) Use of bottled water. Suppliers that propose to use or use bottled water as a condition for receiving a variance or an adjusted standard from the requirements of Section 611.301 or Section 611.311 or an adjusted standard from the requirements of Sections 611.351 through 611.354 must meet the requirements of either subsections (d)(1), (d)(2), (d)(3), and (d)(6) or (d)(4), (d)(5), and (d)(6) of this Section.

1) The supplier must develop a monitoring program for Board approval that provides reasonable assurances that the bottled water meets all MCLs of Sections 611.301 and 611.311 and submit a description of this program as part of its petition. The proposed program must describe how the supplier will comply with each requirement of this subsection (d).

2) The supplier must monitor representative samples of the bottled water for all contaminants regulated under Sections 611.301 and 611.311 during the first three-month period that it supplies the bottled water to the public, and annually thereafter.

3) The supplier must annually provide the results of the monitoring program to the Agency.

4) The supplier must receive a certification from the bottled water company

as to each of the following:

A) that the bottled water supplied has been taken from an approved source of bottled water, as such is defined in Section 611.101;

B) that the approved source of bottled water has conducted monitoring in accordance with 21 CFR 129.80(g)(1) through (g)(3);

C) and that the bottled water does not exceed any MCLs or quality limits as set out in 21 CFR 165.110,~~103.35,~~ 110, and 129.

5) The supplier must provide the certification required by subsection (d)(4) of this Section to the Agency during the first quarter after it begins supplying bottled water and annually thereafter.

6) The supplier must assure the provision of sufficient quantities of bottled water to every affected person supplied by the supplier via door-to-door bottled water delivery.

BOARD NOTE: Subsection (d) derived from 40 CFR 142.62(g) (2011~~2003~~).

e) Use of a point-of-entry treatment device. Before the Board grants any PWS a variance or adjusted standard from any NPDWR that includes a condition requiring the use of a point-of-entry treatment device, the supplier must demonstrate to the Board each of the following:

1) That the supplier will operate and maintain the device;

2) That the device provides health protection equivalent to that provided by central treatment;

3) That the supplier will maintain the microbiological safety of the water at all times;

4) That the supplier has established standards for performance, conducted a rigorous engineering design review, and field tested the device;

5) That the operation and maintenance of the device will account for any

potential for increased concentrations of heterotrophic bacteria resulting through the use of activated carbon, by backwashing, post-contactor disinfection, and heterotrophic plate count monitoring;

6) That buildings connected to the supplier's distribution system have sufficient devices properly installed, maintained, and monitored to assure that all consumers are protected; and

7) That the use of the device will not cause increased corrosion of lead and copper bearing materials located between the device and the tap that could increase contaminant levels at the tap.

BOARD NOTE: Subsection (e) derived from 40 CFR 142.62(h) (2011~~2003~~).

f) Relief from the maximum contaminant levels for radionuclides ~~(effective December 8, 2003)~~.

1) Relief from the maximum contaminant levels for combined radium-226 and radium-228, uranium, gross alpha particle activity (excluding radon and uranium), and beta particle and photon radioactivity.

A) Section 611.330(g) sets forth what USEPA has identified as the best available technology (BAT), treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the radionuclides listed in Section 611.330(b), (c), (d), and (e), for the purposes of issuing relief equivalent to a federal section 1415 variance or a section 1416 exemption.

B) In addition to the technologies listed in Section 611.330(g), Section 611.330(h) sets forth what USEPA has identified as the BAT, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for the radionuclides listed in Section 611.330(b), (c), (d), and (e), for the purposes of issuing relief equivalent to a federal section 1415 variance or a section 1416 exemption to small drinking water systems, defined here as those serving 10,000 persons or fewer, as shown in the second table set forth at Section 611.330(h).

2) The Board will require a CWS supplier to install and use any treatment technology identified in Section 611.330(g), or in the case of small water systems (those serving 10,000 persons or fewer), listed in Section 611.330(h), as a condition for granting relief equivalent to a federal section 1415 variance or a section 1416 exemption, except as provided in subsection (f) (3) of this Section. If, after the system's installation of the treatment technology, the system cannot meet the MCL, that system will be eligible for relief.

3) If a CWS supplier can demonstrate through comprehensive engineering assessments, which may include pilot plant studies, that the treatment technologies identified in this Section would only achieve a de minimus reduction in the contaminant level, the Board may issue a schedule of compliance that requires the system being granted relief equivalent to a federal section 1415 variance or a section 1416 exemption to examine other treatment technologies as a condition of obtaining the relief.

4) If the Agency determines that a treatment technology identified under subsection (f)(3) of this Section is technically feasible, it may request that the Board require the supplier to install and use that treatment technology in connection with a compliance schedule issued pursuant to Section 36 of the Act [415 ILCS 5/36]. The Agency's determination must be based upon studies by the system and other relevant information.

5) The Board may require a CWS to use bottled water, point-of-use devices, point-of-entry devices, or other means as a condition of granting relief equivalent to a federal section 1415 variance or a section 1416 exemption from the requirements of Section 611.330, to avoid an unreasonable risk to health.

6) A CWS supplier that uses bottled water as a condition for receiving relief equivalent to a federal section 1415 variance or a section 1416 exemption from the requirements of Section 611.330 must meet the requirements specified in either subsections (d)(1) through (d)(3) or (d)(4) through (d)(6) of this Section.

7) A CWS supplier that uses point-of-use or point-of-entry devices as a condition for obtaining relief equivalent to a federal section 1415 variance or a section 1416 exemption from the radionuclides NPDWRs must meet

the conditions in subsections (e)(1) through (e)(6) of this Section.

BOARD NOTE: Subsection (f) derived from 40 CFR 142.65 (2011~~2003~~).

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.611 Inorganic Analysis

Analytical methods are from documents incorporated by reference in Section 611.102. These are mostly referenced by a short name defined by Section 611.102(a). Other abbreviations are defined in Section 611.101.

a) Analysis for the following contaminants must be conducted using the following methods or an alternative method approved pursuant to Section 611.480. Criteria for analyzing arsenic, chromium, copper, lead, nickel, selenium, sodium, and thallium with digestion or directly without digestion, and other analytical procedures, are contained in USEPA Technical Notes, incorporated by reference in Section 611.102.

BOARD NOTE: Because MDLs reported in USEPA Environmental Metals Methods 200.7 and 200.9 were determined using a 2× preconcentration step during sample digestion, MDLs determined when samples are analyzed by direct analysis (i.e., no sample digestion) will be higher. For direct analysis of cadmium by USEPA Environmental Metals Method 200.7, sample preconcentration using pneumatic nebulization may be required to achieve lower detection limits. Preconcentration may also be required for direct analysis of antimony, lead, and thallium by USEPA Environmental Metals Method 200.9; antimony and lead by Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; and lead by ASTM Method D3559-96 D or D3559-03 D unless multiple in-furnace depositions are made.

1) Alkalinity.

A) Titrimetric.

i) ASTM Method D1067-92 B, ~~or~~ D1067-02 B, or D1067-06 B; ~~o~~r

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 2320 B; or.

iii) Standard Methods Online, Method 3113 B-04.

B) Electrometric titration: USGS Methods: Method I-1030-85.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 2320 B as an approved alternative method for alkalinity in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Method D1067-06 B and Standard Methods Online, Method 3113 B-04 as approved alternative methods for alkalinity in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

2) Antimony.

A) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

B) Atomic absorption, hydride technique: ASTM Method D3697-92, D3697-02, or D3697-07.

C) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev.2.2).

D) Atomic absorption, furnace technique: Standard Methods, 18th, 19th, or 21st ed., Method 3113 B.

i) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or

ii) Standard Methods Online, Method 3113 B-04.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 3113B and USEPA NERL Method 200.5 as approved alternative methods for antimony in appendix A to subpart C of 40 CFR 141 on June 3, 2008

(at 73 Fed. Reg. 31616). USEPA added ASTM Method D3697-07 as an approved alternative method for antimony in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908. USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for antimony in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

3) Arsenic.

BOARD NOTE: If ultrasonic nebulization is used in the determination of arsenic by Method 200.8, the arsenic must be in the pentavalent state to provide uniform signal response. For direct analysis of arsenic with Method 200.8 using ultrasonic nebulization, samples and standards must contain one mg/ℓ of sodium hypochlorite.

A) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

B) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

C) Atomic absorption, furnace technique.

i) ASTM Method D2972-97 C, D2972-03 C, or D2972-08 C; ~~or~~

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or~~.~~

iii) Standard Methods Online, Method 3113 B-04.

D) Atomic absorption, hydride technique.

i) ASTM Method D2972-97 B, D2972-03 C, or D2972-08 B; ~~or~~

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3114 B; or~~.~~

iii) Standard Methods Online, Method 3114 B-04.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 3113 B and USEPA NERL Method 200.5 as approved alternative methods for arsenic in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D2972-08 B and C as approved alternative methods for arsenic in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908. USEPA added Standard Methods Online, Method 3113 B-04 and Method 3114 B-04 as approved alternative methods for arsenic in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

4) Asbestos: Transmission electron microscopy: USEPA Asbestos Method-100.1 or USEPA Asbestos Method-100.2.

5) Barium.

A) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

B) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

C) Atomic absorption, direct aspiration technique: Standard Methods, 18th, 19th, or 21st ed., Method 3111 D.

D) Atomic absorption, furnace technique: ~~Standard Methods, 18th, 19th, or 21st ed., Method 3113 B.~~

i) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or

ii) Standard Methods Online, Method 3113 B-04.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3111 D, 3113 B, and 3120 B and USEPA NERL Method 200.5 as approved alternative methods for barium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for barium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

6) Beryllium.

A) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

B) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

C) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

D) Atomic absorption, furnace technique.

i) ASTM Method D3645-97 B or D3645-03 B; ~~or~~

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or~~.~~

iii) Standard Methods Online, Method 3113 B-04.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3113 B and 3120 B and USEPA NERL Method 200.5 as approved alternative methods for beryllium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Method D3645-08 B as an approved alternative method for beryllium in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for beryllium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

7) Cadmium.

A) Inductively coupled plasma arc furnace: USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4).

B) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

C) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

D) Atomic absorption, furnace technique: ~~Standard Methods, 18th, 19th, or 21st ed., Method 3113 B.~~

i) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or

ii) Standard Methods Online, Method 3113 B-04.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 3113 B and USEPA NERL Method 200.5 as approved alternative methods for cadmium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for cadmium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

8) Calcium.

A) EDTA titrimetric.

i) ASTM Method D511-93 A, D511-03 A, or D511-09 A; or

ii) Standard Methods, 18th or 19th ed., Method 3500-Ca D or Standard Methods, 20th or 21st ed., Method 3500-Ca B.

B) Atomic absorption, direct aspiration.

i) ASTM Method D511-93 B, D511-03 B, or D511-09 B; or

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3111 B.

C) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

D) Ion chromatography: ASTM Method D6919-03 or D6919-09.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3111 B, 3120 B, and 3500-Ca B and USEPA NERL Method 200.5 as approved alternative methods for calcium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D511-09 A and B as approved alternative methods for calcium in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908). USEPA added ASTM Method D6919-09 as an approved alternative method for calcium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

9) Chromium.

A) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

B) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

C) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

D) Atomic absorption, furnace technique: ~~Standard Methods, 18th, 19th, or 21st ed., Method 3113 B.~~

i) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or

ii) Standard Methods Online, Method 3113 B-04.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3113 B and 3120 B and USEPA NERL Method 200.5 as an approved alternative methods~~method~~ for chromium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for chromium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

10) Copper.

A) Atomic absorption, furnace technique.

i) ASTM Method D1688-95 C, D1688-02 C, or D1688-07 C; ~~or~~

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or.

iii) Standard Methods Online, Method 3113 B-04.

B) Atomic absorption, direct aspiration.

i) ASTM Method D1688-95 A, D1688-02 A, or D1688-07 A; or

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3111 B.

C) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

D) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

E) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

F) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES), USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3111 B, 3113 B, and 3120 B and USEPA NERL Method 200.5 as an approved alternative method for copper in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D1688-07 A and C as approved alternative methods for copper in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for copper in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

11) Conductivity; Conductance.

A) ASTM Method D1125-95(1999) A; or

B) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 2510 B.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 2510 B as an approved alternative method for conductivity in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

12) Cyanide.

A) Manual distillation (ASTM Method D2036-98 A or Standard Methods, 18th, 19th, or 20th ed., Method 4500-CN^- C), followed by spectrophotometric, amenable.

i) ASTM Method D2036-98 B or 2036-06 B; or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-CN^- G.

B) Manual distillation (ASTM Method D2036-98 A or Standard Methods, 18th, 19th, or 20th ed., Method 4500-CN^- C), followed by spectrophotometric, manual.

i) ASTM Method D2036-98 A or D2036-06 A;

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-CN^- E; or

iii) USGS Methods, Method I-3300-85.

C) Spectrophotometric, semiautomated: USEPA Environmental Inorganic Methods, Method 335.4 (rev. 1.0).

D) Selective electrode: Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-CN^- F.

E) UV/Distillation/Spectrophotometric: Kelada 01.

F) Microdistillation/Flow Injection/Spectrophotometric: QuickChem 10-204-00-1-X.

G) Ligand exchange and amperometry.

i) ASTM Method D6888-03.

ii) OI Analytical Method OIA-1677 DW.

H) Gas chromatography-mass spectrometry headspace: Method ME355.01.

BOARD NOTE: USEPA added ASTM Method D2036-06 A and Standard Methods, 21st ed., Methods 4500-CN^-E, F, and G as approved alternative methods for cyanide in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Method ME355.01 as an approved alternative method for cyanide in appendix A to subpart C of 40 CFR 141 on August 3, 2009 (at 74 Fed. Reg. 38348).

13) Fluoride.

A) Ion Chromatography.

i) USEPA Environmental Inorganic Methods, Method 300.0 (rev. 2.1) or USEPA Organic and Inorganic Methods, Method 300.1 (rev. 1.0);

ii) ASTM Method D4327-97 or D4327-03; ~~or~~

iii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4110 B; or~~.~~

iv) Hach SPADNS 2 Method 10225.

B) Manual distillation, colorimetric SPADNS: Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-F^- B and D.

C) Manual electrode.

i) ASTM Method D1179-93 B, D1179-99 B, or D1179-04 B; or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-F^- C.

D) Automated electrode: Technicon Methods, Method 380-75WE.

E) Automated alizarin.

i) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-F^- E; or

ii) Technicon Methods, Method 129-71W.

F) Capillary ion electrophoresis: ASTM Method D6508-00(2005).

BOARD NOTE: On March 12, 2007 (at 72 Fed. Reg. 11200), USEPA amended the entry for fluoride to add capillary ion electrophoresis in the table at corresponding 40 CFR 141.23(k)(1) to allow the use of "Waters Method D6508, Rev. 2." The Board attempt to locate a copy of the method disclosed that it is an ASTM method originally approved in 2000 and reapproved in 2005. The Board has cited to the ASTM Method D6508-00 (2005).

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 4110 B and 4500$^-$ B, C, D, and E and ASTM Method D1179-04 B as approved alternative methods for fluoride in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Hach SPADNS 2 Method 10225 as an approved alternative method for fluoride in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

14) Lead.

A) Atomic absorption, furnace technique.

i) ASTM Method D3559-96 D, D3559-03 D, or D3559-08; ~~or~~

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or~~.~~

iii) Standard Methods Online, Method 3113 B-04.

B) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

C) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

D) Differential Pulse Anodic Stripping Voltammetry: Palintest Method 1001.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 3113 B and USEPA NERL Method 200.5 as approved alternative methods for lead in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Method D3559-08 D as an approved alternative method for lead in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for lead in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

15) Magnesium.

A) Atomic absorption.

i) ASTM Method D511-93 B, D511-03 B, or D511-09 B; or

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3111 B.

B) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

C) Complexation titrimetric.

i) ASTM Method D511-93 A, D511-03 A, or D511-09 A; or

ii) Standard Methods, 18th or 19th ed., Method 3500-Mg E or Standard Methods, 20th or 21st ed., Method 3500-Mg B.

D) Ion chromatography: ASTM Method D6919-03 or D6919-09.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3111 B, 3120 B, and 3500-Mg B and USEPA NERL Method 200.5 as approved alternative methods for magnesium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D511-09 A and B as approved alternative methods for magnesium in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908). USEPA added ASTM Method D6919-09 as an approved alternative method for magnesium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

16) Mercury.

A) Manual cold vapor technique.

i) USEPA Environmental Metals Methods, Method 245.1 (rev. 3.0);

ii) ASTM Method D3223-97 or D3223-02; or

iii) Standard Methods, 18th, 19th, or 21st ed., Method 3112 B.

B) Automated cold vapor technique: USEPA Inorganic Methods, Method 245.2.

C) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 3112 B as an approved alternative method for mercury in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

17) Nickel.

A) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

B) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

C) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

D) Atomic absorption, direct aspiration technique: Standard Methods, 18th, 19th, or 21st ed., Method 3111 B.

E) Atomic absorption, furnace technique: ~~Standard Methods, 18th, 19th, or 21st ed., Method 3113 B.~~

i) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or

ii) Standard Methods Online, Method 3113 B-04.

F) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3111 B, 3113 B, and 3120 B and USEPA NERL Method 200.5 as approved alternative methods for nickel in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for nickel in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

18) Nitrate.

A) Ion chromatography.

i) USEPA Environmental Inorganic Methods, Method 300.0 (rev. 2.1) or USEPA Organic and Inorganic Methods, Method 300.1 (rev. 1.0);

ii) ASTM Method D4327-97 or D4327-03;

iii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4110 B; or

iv) Waters Test Method B-1011, available from Millipore Corporation.

B) Automated cadmium reduction.

i) USEPA Environmental Inorganic Methods, Method 353.2 (rev. 2.0);

ii) ASTM Method D3867-90 A; or

iii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-NO_3^- F.

C) Ion selective electrode.

i) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-NO_3^- D; or

ii) Technical Bulletin 601.

D) Manual cadmium reduction.

i) ASTM Method D3867-90 B; or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-NO_3^- E.

E) Capillary ion electrophoresis: ASTM Method D6508-00(2005).

BOARD NOTE: On March 12, 2007 (at 72 Fed. Reg. 11200), USEPA amended the entry for nitrate to add capillary ion electrophoresis in the table at corresponding 40 CFR 141.23(k)(1) to allow the use of "Waters Method D6508, Rev. 2." The Board attempt to locate a copy of the method disclosed that it is an ASTM method originally approved in 2000 and reapproved in 2005. The Board has cited to the ASTM Method D6508-00(2005).

F) Reduction-colorimetric: Systea Easy (1-Reagent).

G) Direct colorimetric: Hach TNTplus 835/836 Method 10206.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 4110 B and 4500-NO_3^- D, E, and F as approved alternative methods for nitrate in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Systea Easy (1-Reagent) as an approved alternative method for nitrate in appendix A to subpart C of 40 CFR 141 on August 3, 2009 (at 73 Fed. Reg. 38348). USEPA added Hach TNTplus 835/836 Method 10206 as an approved alternative method for nitrate in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

19) Nitrite.

A) Ion chromatography.

i) USEPA Environmental Inorganic Methods, Method 300.0 (rev. 2.1) or USEPA Organic and Inorganic Methods, Method 300.1 (rev. 1.0);

ii) ASTM Method D4327-97 or D4327-03;

iii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4110 B; or

iv) Waters Test Method B-1011, available from Millipore Corporation.

B) Automated cadmium reduction.

i) USEPA Environmental Inorganic Methods, Method 353.2 (rev. 2.0);

ii) ASTM Method D3867-90 A; or

iii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-NO_3^- F.

C) Manual cadmium reduction.

i) ASTM Method D3867-90 B; or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-NO_3^- E.

D) Spectrophotometric: Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-NO_2^- B.

E) Capillary ion electrophoresis: ASTM Method D6508-00(2005).

BOARD NOTE: On March 12, 2007 (at 72 Fed. Reg. 11200), USEPA amended the entry for nitrite to add capillary ion electrophoresis in the table at corresponding 40 CFR 141.23(k)(1) to allow the use of "Waters Method D6508, Rev. 2." The Board attempt to locate a copy of the method disclosed that it is an

ASTM method originally approved in 2000 and reapproved in 2005. The Board has cited to the ASTM Method D6508-00(2005).

F) Reduction-colorimetric: Systea Easy (1-Reagent).

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 4110 B, 4500-NO_3^- E and F; and 4500-NO_2^- B as approved alternative methods for nitrite in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Systea Easy (1-Reagent) as an approved alternative method for nitrite in appendix A to subpart C of 40 CFR 141 on August 3, 2009 (at 73 Fed. Reg. 38348).

20) Orthophosphate (unfiltered, without digestion or hydrolysis).

A) Automated colorimetric, ascorbic acid.

i) USEPA Environmental Inorganic Methods, Method 365.1 (rev. 2.0); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-P F.

B) Single reagent colorimetric, ascorbic acid.

i) ASTM Method D515-88 A; or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-P E.

C) Colorimetric, phosphomolybdate: USGS Methods, Method I-1601-85.

D) Colorimetric, phosphomolybdate, automated-segmented flow: USGS Methods, Method I-2601-90.

E) Colorimetric, phosphomolybdate, automated discrete: USGS Methods, Method I-2598-85.

F) Ion Chromatography.

i) USEPA Environmental Inorganic Methods: Method 300.0 (rev. 2.1) or USEPA Organic and Inorganic Methods, Method 300.1 (rev. 1.0);

ii) ASTM Method D4327-97 or D4327-03; or

iii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4110 B.

G) Capillary ion electrophoresis: ASTM Method D6508-00(2005).

BOARD NOTE: On March 12, 2007 (at 72 Fed. Reg. 11200), USEPA amended the entry for orthophosphate to add capillary ion electrophoresis in the table at corresponding 40 CFR 141.23(k)(1) to allow the use of "Waters Method D6508, Rev. 2." The Board attempt to locate a copy of the method disclosed that it is an ASTM method originally approved in 2000 and reapproved in 2005. The Board has cited to the ASTM Method D6508-00(2005).

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 4110 B, 4500-P E and F as approved alternative methods for orthophosphate in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

21) pH: electrometric.

A) USEPA Inorganic Methods, Method 150.1 or Method 150.2;

B) ASTM Method D1293-95 or D1293-99; or

C) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 4500-H^+ B.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 4500-H^+ B as an approved alternative method for pH in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

22) Selenium.

A) Atomic absorption, hydride.

i) ASTM Method D3859-98 A, D3859-03 A, or D3859-08 A; ~~or~~

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3114 B; or~~.~~

iii) Standard Methods Online, Method 3114 B-09.

B) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

C) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

D) Atomic absorption, furnace technique.

i) ASTM Method D3859-98 B, D3859-03 B, or D3859-08 B; ~~or~~

ii) Standard Methods, 18th, 19th, or 21st ed., Method 3113 B; or~~.~~

iii) Standard Methods Online, Method 3113 B-04.

E) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 3113 B and 3114 B and USEPA NERL Method 200.5 as approved alternative methods for selenium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D3859-08 A and B as approved alternative methods for selenium in appendix A to subpart C of 40 CFR 141 on November 10, 2009 (at 74 Fed. Reg. 57908). USEPA added Standard Methods Online, Method 3113 B-04 and Method 3114 B-09 as approved alternative methods for selenium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

23) Silica.

A) Colorimetric, molybdate blue: USGS Methods, Method I-1700-85.

B) Colorimetric, molybdate blue, automated-segmented flow: USGS Methods, Method I-2700-85.

C) Colorimetric: ASTM Method D859-94, D859-00, or D859-05.

D) Molybdosilicate: Standard Methods, 18th or 19th ed., Method 4500-Si D or Standard Methods, 20th or 21st ed., Method 4500-SiO_2 C.

E) Heteropoly blue: Standard Methods, 18th or 19th ed., Method 4500-Si E or Standard Methods, 20th or 21st ed., Method 4500-SiO_2 D.

F) Automated method for molybdate-reactive silica: Standard Methods, 18th or 19th ed., Method 4500-Si F or Standard Methods, 20th or 21st ed., Method 4500-SiO_2 E.

G) Inductively coupled plasma.

i) USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4); or

ii) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 3120 B.

H) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added ASTM Method D859-05, Standard Methods, 21st ed.; Methods 3120 B and 4500-SiO_2 C, D, and E; and USEPA NERL Method 200.5 as approved alternative methods for silica in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

24) Sodium.

A) Inductively coupled plasma: USEPA Environmental Metals Methods, Method 200.7 (rev. 4.4).

B) Atomic absorption, direct aspiration: Standard Methods, 18th, 19th, or 21st ed., Method 3111 B.

C) Ion chromatography: ASTM Method D6919-03 or D6919-09.

D) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 3113 B and USEPA~~USPEA~~ NERL Method 200.5 as approved alternative methods for sodium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Method D6919-09 as an approved alternative method for sodium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

25) Temperature; thermometric: Standard Methods, 18th, 19th, 20th, or 21st ed., Method 2550.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 2550 as an approved alternative method for temperature in appendix A to subpart C on June 3, 2008 (at 73 Fed. Reg. 31616).

26) Thallium.

A) Inductively coupled plasma-mass spectrometry: USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3).

B) Atomic absorption, platform furnace technique: USEPA Environmental Metals Methods, Method 200.9 (rev. 2.2).

b) Sample collection for antimony, arsenic (effective January 22, 2004), asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite, selenium, and thallium pursuant to Sections 611.600 through

611.604 must be conducted using the following sample preservation, container, and maximum holding time procedures:

BOARD NOTE: For cyanide determinations samples must be adjusted with sodium hydroxide to pH 12 at the time of collection. When chilling is indicated the sample must be shipped and stored at 4° C or less. Acidification of nitrate or metals samples may be with a concentrated acid or a dilute (50% by volume) solution of the applicable concentrated acid. Acidification of samples for metals analysis is encouraged and allowed at the laboratory rather than at the time of sampling provided the shipping time and other instructions in Section 8.3 of USEPA Environmental Metals Method 200.7, 200.8, or 200.9 are followed.

1) Antimony.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

2) Arsenic.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

3) Asbestos.

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 48 hours.

4) Barium.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

5) Beryllium.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

6) Cadmium.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

7) Chromium.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

8) Cyanide.

A) Preservative: Cool to 4° C. Add sodium hydroxide to pH greater than 12. See the analytical methods for information on sample preservation.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 14 days.

9) Fluoride.

A) Preservative: None.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within one month.

10) Mercury.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 28 days.

11) Nickel.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

12) Nitrate, chlorinated.

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 14 days.

13) Nitrate, non-chlorinated.

A) Preservative: Concentrated sulfuric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 14 days.

14) Nitrite.

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 48 hours.

15) Selenium.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

16) Thallium.

A) Preservative: Concentrated nitric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within six months.

c) Analyses under this Subpart N must be conducted by laboratories that received approval from USEPA or the Agency. The Agency must certify laboratories to conduct analyses for antimony, arsenic (effective January 23, 2006), asbestos, barium, beryllium, cadmium, chromium, cyanide, fluoride, mercury, nickel, nitrate, nitrite, selenium, and thallium if the laboratory does as follows:

1) It analyzes performance evaluation (PE) samples, provided by the Agency pursuant to 35 Ill. Adm. Code 186, that include those substances at levels not in excess of levels expected in drinking water; and

2) It achieves quantitative results on the analyses within the following acceptance limits:

A) Antimony: ± 30% at greater than or equal to 0.006 mg/ℓ.

B) Arsenic: ± 30% at greater than or equal to 0.003 mg/ℓ.

C) Asbestos: 2 standard deviations based on study statistics.

D) Barium: ± 15% at greater than or equal to 0.15 mg/ℓ.

E) Beryllium: ± 15% at greater than or equal to 0.001 mg/ℓ.

F) Cadmium: ± 20% at greater than or equal to 0.002 mg/ℓ.

G) Chromium: ± 15% at greater than or equal to 0.01 mg/ℓ.

H) Cyanide: ± 25% at greater than or equal to 0.1 mg/ℓ.

I) Fluoride: ± 10% at 1 to 10 mg/ℓ.

J) Mercury: ± 30% at greater than or equal to 0.0005 mg/ℓ.

K) Nickel: ± 15% at greater than or equal to 0.01 mg/ℓ.

L) Nitrate: ± 10% at greater than or equal to 0.4 mg/ℓ.

M) Nitrite: ± 15% at greater than or equal to 0.4 mg/ℓ.

N) Selenium: ± 20% at greater than or equal to 0.01 mg/ℓ.

O) Thallium: ± 30% at greater than or equal to 0.002 mg/ℓ.

BOARD NOTE: Derived from 40 CFR 141.23(k) and appendix A to 40 CFR 141 (2011~~2010~~).

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 611.612 Monitoring Requirements for Old Inorganic MCLs

a) Analyses for the purpose of determining compliance with the old inorganic MCLs of Section 611.300 are required as follows:

1) Analyses for all CWSs utilizing surface water sources must be repeated at yearly intervals.

2) Analyses for all CWSs utilizing only groundwater sources must be repeated at three-year intervals.

3) This subsection (a)(3) corresponds with 40 CFR 141.23(1)(3), which requires monitoring for the repealed old MCL for nitrate at a frequency specified by the state. The Board has followed the USEPA lead and repealed that old MCL. This statement maintains structural consistency with USEPA rules.

4) This subsection (a)(4) corresponds with 40 CFR 141.23(1)(4) ,which authorizes the state to determine compliance and initiate enforcement action. This statement maintains structural consistency with USEPA rules.

b) If the result of an analysis made under subsection (a) of this Section indicates that the level of any contaminant listed in Section 611.300 exceeds the old MCL, the supplier must report to the Agency within seven days and initiate three additional analyses at the same sampling point within one month.

c) When the average of four analyses made pursuant to subsection (b) of this

Section, rounded to the same number of significant figures as the old MCL for the substance in question, exceeds the old MCL, the supplier must notify the Agency and give notice to the public pursuant to Subpart V of this Part. Monitoring after public notification must be at a frequency designated by the Agency by a SEP granted pursuant to Section 611.110 and must continue until the old MCL has not been exceeded in two successive samples or until a different monitoring schedule becomes effective as a condition to a variance, an adjusted standard, a site specific rule, an enforcement action, or another SEP granted pursuant to Section 611.110.

d) This subsection (d) corresponds with 40 CFR 141.23(o), which pertains to monitoring for the repealed old MCL for nitrate. This statement maintains structural consistency with USEPA rules.

e) This subsection (e) corresponds with 40 CFR 141.23(p), which pertains to the use of existing data up until a date long since expired. This statement maintains structural consistency with USEPA rules.

f) Except for arsenic, for which analyses must be made in accordance with Section 611.611, analyses conducted to determine compliance with the old MCLs of Section 611.300 must be made in accordance with the following methods, incorporated by reference in Section 611.102, or alternative methods approved by the Agency pursuant to Section 611.480.

1) Fluoride: The methods specified in Section 611.611(c) must apply for the purposes of this Section.

2) Iron.

A) Standard Methods.

i) Method 3111 B, 18th, 19th, or 21st ed.;

ii) Method 3113 B, 18th, 19th, or 21st ed.;

iii) Method 3120 B, 18th, 19th, 20th, or 21st ed.

B) Standard Methods Online, Method 3113 B-04.

C~~B~~) USEPA Environmental Metals Methods.

i) Method 200.7 (rev. 4.4); or

ii) Method 200.9 (rev. 2.2).

D~~C~~) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added this method as an approved alternative method in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for iron in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

BOARD NOTE: USEPA added Standard Methods, 21st ed.; Methods 3111 B, 3113 B, and 3120 B and USEPA NERL Method 200.5 as approved alternative methods for iron in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

3) Manganese.

A) Standard Methods.

i) Method 3111 B, 18th, 19th, or 21st ed.;

ii) Method 3113 B, 18th, 19th, or 21st ed.; or

iii) Method 3120 B, 18th, 19th, 20th, or 21st ed.

B) Standard Methods Online, Method 3113 B-04.

C~~B~~) USEPA Environmental Metals Methods.

i) Method 200.7 (rev. 4.4);

ii) Method 200.8 (rev. 5.3); or

iii) Method 200.9 (rev. 2.2).

D~~C~~) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed.; Methods 3111 B, 3113 B, and 3120 B and USEPA NERL Method 200.5 as approved alternative methods for manganese in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added Standard Methods Online, Method 3113 B-04 as an approved alternative method for manganese in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

4) Zinc.

A) Standard Methods.

i) Method 3111 B, 18th, 19th, or 21st ed.; or

ii) Method 3120 B, 18th , 19th, 20th, or 21st ed.

B) USEPA Environmental Metals Methods.

i) Method 200.7 (rev. 4.4); or

ii) Method 200.8 (rev. 5.3).

C) Axially viewed inductively coupled plasma-atomic emission spectrometry (AVICP-AES): USEPA NERL Method 200.5.

BOARD NOTE: USEPA added Standard Methods, 21st ed.; Methods 3111 B and 3120 B and USEPA NERL Method 200.5 as approved alternative methods for zinc in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

BOARD NOTE: The provisions of subsections (a) through (e) of this Section derive from 40 CFR 141.23(l) through (p) (2011~~2010~~). Subsections (f)(2) through (f)(4) of this Section relate exclusively to additional State requirements. The Board retained subsection (f) of this Section to set forth methods for the inorganic contaminants for which there is a State-only MCL. The methods specified are those set forth in 40 CFR

143.4(b) and appendix A to subpart C of 40 CFR 141 (2011~~2010~~), for secondary MCLs.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.645 Analytical Methods for Organic Chemical Contaminants

Analysis for the Section 611.311(a) VOCs under Section 611.646; the Section 611.311(c) SOCs under Section 611.648; the Section 611.310 old MCLs under Section 611.641; and for THMs, TTHMs, and TTHM potential must be conducted using the methods listed in this Section. ~~All methods are from USEPA Organic Methods, unless otherwise indicated.~~ All methods are incorporated by reference in Section 611.102. Other required analytical test procedures germane to the conduct of these analyses are contained in the USEPA document, "Technical Notes of Drinking Water Methods," incorporated by reference in Section 611.102.

a) Volatile Organic Chemical Contaminants (VOCs).

Contaminant	Analytical Methods
Benzene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
Carbon tetrachloride	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0) and~~,~~ 551.1 (rev. 1.0)
Chlorobenzene	USEPA Organic Methods, Methods 502.2 (rev. 2.1), 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
1,2-Dichlorobenzene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
1,4-Dichlorobenzene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods,

	Method 524.3 (rev. 1.0)
1,2-Dichloroethane	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
cis-Dichloroethylene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
trans-Dichloroethylene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
Dichloromethane	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
1,2-Dichloropropane	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
Ethylbenzene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
Styrene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
Tetrachloroethylene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)and~~,~~ 551.1 (rev. 1.0)
1,1,1-Trichloroethane	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0) and~~,~~ 551.1 (rev. 1.0)

Trichloroethylene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0) and~~,~~ 551.1 (rev. 1.0)
Toluene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
1,2,4-Trichlorobenzene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
1,1-Dichloroethylene	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
1,1,2-Trichloroethane	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
Vinyl chloride	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)
Xylenes (total)	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Method 524.3 (rev. 1.0)

BOARD NOTE: USEPA added USEPA OGWDW Method 524.3 (rev. 1.0) as an alternative method for all of the VOCs in appendix A to subpart C of 40 CFR 141 on August 3, 2009 (at 74 Fed. Reg. 38348).

b) Synthetic Organic Chemical Contaminants (SOCs).

Contaminant	Analytical Methods
2,3,7,8-Tetrachlorodibenzodioxin (2,3,7,8-TCDD or dioxin)	Dioxin and Furan Method 1613 (rev. B)

2,4-D	USEPA Organic Methods, Methods 515.2 (rev. 1.1), 555 (rev. 1.0), and 515.1 (rev. 4.0);~~,~~ USEPA Organic and Inorganic Methods, Method 515.3 (rev. 1.0);~~,~~ USEPA OGWDW Methods, Method 515.4 (rev. 1.0);~~,~~ ASTM Method D5317-93 or D5317-98; Standard Methods, 21st ed., Method 6640 B
2,4,5-TP (Silvex)	USEPA Organic Methods, Methods 515.2 (rev. 1.1), 555 (rev. 1.0), and 515.1 (rev. 4.0);~~,~~ USEPA Organic and Inorganic Methods, Method 515.3 (rev. 1.0);~~,~~ USEPA OGWDW Methods, Method 515.4 (rev. 1.0);~~,~~ ASTM Method D5317-93 or D5317-98; Standard Methods, 21st ed., Method 6640 B
Alachlor	USEPA Organic Methods, Methods 505 (rev. 2.1)[1], 507 (rev. 2.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Atrazine	USEPA Organic Methods, Methods 505 (rev. 2.1)[1], 507 (rev. 2.1), 508.1 (rev. 2.1), 525.2 (rev. 2.0), and 551.1 (rev. 1.0);~~,~~ Syngenta AG-625[2]
Benzo(a)pyrene	USEPA Organic Methods, Methods 525.2 (rev. 2.0), 550, and 550.1
Carbofuran	USEPA Organic Methods, Methods 531.1 (rev. 3.1);~~,~~ USEPA OGWDW Methods, Method 531.2 (rev. 1.0);~~,~~ Standard Methods, 18th ed. Supplement, 19th ed., or 20th ed., Method 6610;~~ or~~ Standard Methods, 21st ed., Method 6610 B;~~ or~~ Standard Methods Online, Method 6610 B-04
Chlordane	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.1), and 525.2 (rev. 2.0)

Dalapon	USEPA Organic Methods, Methods 515.1 (rev. 4.0), 552.1 (rev. 1.0), and 552.2 (rev. 1.0);~~,~~ USEPA Organic and Inorganic Methods, Method 515.3 (rev. 1.0);~~,~~ USEPA OGWDW Methods, Methods 515.4 (rev. 1.0), 552.3 (rev. 1.0), and 557;~~ and~~ Standard Methods, 21st ed., Method 6640 B
Di(2-ethylhexyl)adipate	USEPA Organic Methods, Methods 506 (rev. 1.1) and~~,~~ 525.2 (rev. 2.0)
Di(2-ethylhexyl)phthalate	USEPA Organic Methods, Method 506 (rev. 1.1) and~~,~~ 525.2 (rev. 2.0)
Dibromochloropropane (DBCP)	USEPA Organic Methods, Methods 504.1 (rev. 1.1), USEPA OGWDW Methods, Method 524.3 (rev. 1.0) and~~,~~ 551.1 (rev. 1.0)
Dinoseb	USEPA Organic Methods, Methods 515.1 (rev. 4.0) and~~,~~ 515.2 (rev. 1.1);~~,~~ USEPA Organic and Inorganic Methods, Method 515.3 (rev. 1.0);~~,~~ USEPA OGWDW Methods, Methods~~Method~~ 515.4 (rev. 1.0) and~~,~~ 555 (rev. 1.0); Standard Methods, 21st ed., Method 6640 B
Diquat	USEPA NERL Method 549.2 (rev. 1.0)
Endothall	USEPA Organic Methods, Method 548.1 (rev. 2.0)
Endrin	USEPA Organic Methods, Method 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Ethylene dibromide (EDB)	USEPA Organic Methods, Methods 504.1 (rev. 1.1);~~,~~ USEPA OGWDW Methods, Methods~~Method~~ 524.3 (rev. 1.0) and~~,~~ 551.1 (rev.1.0)

Glyphosate	USEPA Organic Methods, Method 547;~~,~~ Standard Methods, 18th ed., 19th ed., ~~or~~ 20th, or 21st ed., Method 6651 B
Heptachlor	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Heptachlor Epoxide	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev.1.0)
Hexachlorobenzene	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Hexachlorocyclopentadiene	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Lindane	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Methoxychlor	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Oxamyl	USEPA Organic Methods, Method 531.1 (rev. 3.1); USEPA OGWDW Methods, Method 531.2 (rev. 1.0); Standard Methods, 18th ed. Supplement, 19th ed.~~,~~ or 20th ed. Method 6610; Standard Methods, 21st ed., Method 6610 B;~~ or~~ Standard Methods Online, Method 6610 B-04
PCBs (measured for compliance purposes as decachlorobiphenyl)	USEPA Organic Methods, Method 508A (rev. 1.0)

PCBs (qualitatively identified as Aroclors)	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), and 525.2 (rev. 2.0)
Pentachlorophenol	USEPA Organic Methods, Methods 515.1 (rev. 4.0), 515.2 (rev. 1.1), 525.2 (rev. 2.0), and 555 (rev. 1.0);~~,~~ USEPA Organic and Inorganic Methods, Method 515.3 (rev. 1.0);~~,~~ USEPA OGWDW Methods, Method 515.4 (rev. 1.0);~~,~~ ASTM Method D5317-93 or D5317-98 (2003); Standard Methods, 21st ed., Method 6640 B
Picloram	USEPA Organic Methods, Methods 515.1 (rev. 4.0), 515.2, (rev. 1.1) and 555 (rev. 1.0);~~,~~ USEPA Organic and Inorganic Methods, Method 515.3 (rev. 1.0);~~,~~ USEPA OGWDW Methods, Method 515.4 (rev. 1.0);~~,~~ ASTM Method D5317-93 or D5317-98 (2003); Standard Methods, 21st ed., Method 6640 B
Simazine	USEPA Organic Methods, Methods 505 (rev. 2.1)[1], 507 (rev. 2.1), 508.1 (rev. 2.0), 525.2 (rev. 2.0), and 551.1 (rev. 1.0)
Toxaphene	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 2.1), 508.1 (rev. 2.0), and 525.2 (rev. 2.0)

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 6610 B and Standard Methods Online, Method 6610 B-04 as approved alternative methods for carbofuran and oxamyl on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added USEPA OGWDW Method 524.3 (rev. 1.0) as an alternative method for dibromochloropropane and ethylene dibromide in appendix A to subpart C of 40 CFR 141 on August 3, 2009 (at 74 Fed. Reg. 38348). USEPA approved Standard Methods, 21st ed., Method 6640 B and Standard Methods Online, Method 6640 B-01 and USEPA OGWDW Methods, Method 557 as approved alternative methods for dalapon in appendix A to subpart C of 40 CFR 141 on June 8, 2010 (at 75 Fed. Reg. 32295). USEPA added Standard Methods, 21st ed.,

Method 6640 B as an approved alternative method for 2,4-D, 2,4,5-TP (Silvex), dinoseb, pentachlorophenol, and picloram in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014). USEPA added Standard Methods Online, Method 6640 B-01 as an approved alternative method for 2,4-D, 2,4,5-TP (Silvex), dalapon, dinoseb, pentachlorophenol, and picloram and in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014). Since the version of Method 6640-B that appears in Standard Methods Online is the same as that which appears in Standard Methods, 21st ed., the Board has cited only to Standard Methods, 21st ed. USEPA added Standard Methods, 21st ed., Method 6651 B as an approved alternative method for glyphosate in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014). USEPA added Standard Methods Online, Method 6651 B-00 as an approved alternative method for glyphosate in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014). Since the version of Method 6651 B that appears in Standard Methods Online is the same as that which appears in Standard Methods, 21st ed., the Board has cited only to Standard Methods, 21st ed.

c) Total Trihalomethanes (TTHMs).

Contaminant	Analytical Methods
Total Trihalomethanes (TTHMs), Trihalomethanes (THMs), and Maximum Total Trihalomethane Potential	USEPA Organic Methods, Methods 502.2 (rev. 2.1) and~~,~~ 524.2 (rev. 4.1);~~,~~ USEPA OGWDW Methods, Methods~~Method~~ 524.3 (rev. 1.0) and~~,~~ 551.1 (rev. 1.0)

BOARD NOTE: USEPA added USEPA OGWDW Method 524.3 (rev. 1.0) as an alternative method for total trihalomethane in appendix A to subpart C of 40 CFR 141 on August 3, 2009 (at 74 Fed. Reg. 38348).

d) State-Only MCLs (for which a method is not listed in subsections (a) through (c)~~above~~).

Contaminant	Analytical Methods

Aldrin	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), and 525.2 (rev. 2.0)
DDT	USEPA Organic Methods, Methods 505 (rev. 2.1) and~~,~~ 508 (rev. 3.1)
Dieldrin	USEPA Organic Methods, Methods 505 (rev. 2.1), 508 (rev. 3.1), 508.1 (rev. 2.0), and 525.2 (rev. 2.0)

e) The following footnotes are appended to method entries in subsections (a) and (b) of this Section:

[1] denotes that, for the particular contaminant, a nitrogen-phosphorus detector should be substituted for the electron capture detector in method 505 (or another approved method should be used) to determine alachlor, atrazine, and simazine if lower detection limits are required.

[2] denotes that Syngenta Method AG-625 may not be used for the analysis of atrazine in any system where chlorine dioxide is used for drinking water treatment. In samples from all other systems, any result for atrazine generated by Syngenta Method AG-625 that is greater than one-half the maximum contaminant level (MCL) (in other words, greater than 0.0015mg/ℓ or 1.5 µg/ℓ) must be confirmed using another approved method for this contaminant and should use additional volume of the original sample collected for compliance monitoring. In instances where a result from Syngenta Method AG-625 triggers such confirmatory testing, the confirmatory result is to be used to determine compliance.

BOARD NOTE: Derived from 40 CFR 141.24(e) and appendix A to subpart C of 40 CFR 141-(2011)~~(2010), as amended at 74 Fed. Reg. 38348 (August 3, 2009) and 75 Fed. Reg. 32295 (June 8, 2010)~~.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.680 Sampling, Analytical, and other Requirements (Repealed)

~~a) Required monitoring.~~

~~1) A CWS supplier that serves a population of 10,000 or more individuals~~

~~and which adds a disinfectant (oxidant) to the water in any part of the drinking water treatment process must analyze for TTHMs in accordance with this Subpart P.~~

~~2)~~ ~~For the purpose of this Subpart P, the minimum number of samples required to be taken by the supplier must be based on the number of treatment plants used by the supplier. However, the Agency shall, by a SEP issued pursuant to Section 611.110, provide that multiple wells drawing raw water from a single aquifer be considered one treatment plant for determining the minimum number of samples.~~

~~3)~~ ~~All samples taken within an established frequency must be collected within a 24-hour period.~~

~~b)~~ ~~A CWS supplier that serves 10,000 or more individuals.~~

~~1)~~ ~~For a CWS supplier utilizing surface a water source in whole or in part, and for a CWS supplier utilizing only a groundwater source, except as provided in Section 611.683, analyses for TTHMs must be performed at quarterly intervals on at least four water samples for each treatment plant used by the system. At least 25 percent of the samples must be taken at locations within the distribution system reflecting the maximum residence time (MRT) of the water in the system. The remaining 75 percent must be taken at representative locations in the distribution system, taking into account the number of persons served, different sources of water and different treatment methods employed. The results of all analyses per quarter must be arithmetically averaged and reported to the Agency within 30 days after the supplier's receipt of such results. All samples collected must be used in the computation of the average, unless the analytical results are invalidated for technical reasons. Sampling and analyses must be conducted in accordance with the methods listed in Section 611.685.~~

~~2)~~ ~~Upon application by a CWS supplier, the Agency must, by a SEP issued pursuant to Section 611.110, reduce the monitoring frequency required by subsection (b)(1) to a minimum of one sample analyzed for TTHMs per quarter taken at a point in the distribution system reflecting the MRT of the water in the system, if the Agency determines that the data from at least one year of monitoring in accordance with subsection (b)(1) and local conditions demonstrate that TTHM concentrations will be~~

~~consistently below the MCL.~~

~~3)~~ ~~If at any time during which the reduced monitoring frequency prescribed under this subsection (b) applies, the results from any analysis exceed 0.10 mg/ℓ TTHMs and such results are confirmed by at least one check sample taken promptly after such results are received, or if the CWS supplier makes any significant change to its source of water or treatment program, the supplier must immediately begin monitoring in accordance with the requirements of subsection (b)(1), which monitoring must continue for at least one year before the frequency may be reduced again. The Agency must, by a SEP issued pursuant to Section 611.110, require monitoring in excess of the minimum frequency where it is necessary to detect variations of TTHM levels within the distribution system.~~

~~BOARD NOTE: Subsections (a) and (b) of this Section are derived from 40 CFR 141.30(a) and (b) (2010), modified to remove the limitation regarding addition of disinfectant.~~

~~c)~~ ~~Surface water sources for a CWS supplier that serves fewer than 10,000 individuals. Suppliers must have submitted at least one initial sample per treatment plant for analysis or analytical results from a certified laboratory for MRT concentration taken between May 1, 1990, and October 31, 1990. After written request by the supplier and the determination by the Agency that the results of the sample indicate that the CWS supplier is not likely to exceed the MCL, the CWS must continue to submit one annual sample per treatment plant for analysis or analytical results from a certified laboratory to the Agency taken between May 1 and October 31 of succeeding years. If the sample exceeds the MCL, the CWS must submit to the Agency samples in accordance with the sampling frequency specified in subsection (b) of this Section.~~

~~BOARD NOTE: This is an additional State requirement.~~

~~d)~~ ~~Groundwater sources for a CWS supplier that serves fewer than 10,000 individuals. Suppliers are not required to submit samples for THM analysis under this Subpart P.~~

~~BOARD NOTE: This is an additional State requirement.~~

(Source: Repealed at 36 Ill. Reg. _____, effective _____)

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.720 Analytical Methods

a) The methods specified below, or alternative methods approved by the Agency pursuant to Section 611.480, incorporated by reference in Section 611.102, are to be used to determine compliance with Section 611.330, except in cases where alternative methods have been approved in accordance with Section 611.480.

1) Gross Alpha and Beta.

A) Standard Methods.

i) Method 302, 13th ed.; or

ii) Method 7110 B, 17th, 18th, 19th, 20th, or 21st ed.;

B) USEPA Interim Radiochemical Methods: pages 1-3;

C) USEPA Radioactivity Methods, Method 900.0;

D) USEPA Radiochemical Analyses: pages 1-5;

E) USEPA Radiochemistry Procedures, Method 00-01; or

F) USGS Methods, Method R-1120-76.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 7110 B as an approved alternative method for gross alpha and beta in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

2) Gross Alpha.

A) Standard Methods, 18th, 19th, 20th, or 21st ed., Method 7110 C; or

B) USEPA Radiochemistry Procedures, Method 00-02.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 7110 C as an approved alternative method for gross alpha in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

3) Radium-226.

A) ASTM Methods.

i) Method D2460-97 or D2460-07; or

ii) Method D3454-97 or D3454-05;

B) New York Radium Method;

C) Standard Methods.

i) Method 304, 13th ed.;

ii) Method 305, 13th ed.;

iii) Method 7500-Ra B, 17th, 18th, 19th, 20th, or 21st ed.; or

iv) Method 7500-Ra C, 17th, 18th, 19th, 20th, or 21st ed.;

D) EML Procedures Manual (27th or 28th ed.), Method Ra-04;

E) USEPA Interim Radiochemical Methods: pages 13-15 or 16-23;

F) USEPA Radioactivity Methods, Methods 903.0, 903.1;

G) USEPA Radiochemical Analyses, pages 19-32;

H) USEPA Radiochemistry Procedures, Method Ra-03 or Ra-04; or

I) USGS Methods.

i) Method R-1140-76; or

ii) Method R-1141-76.

J) Georgia Radium Method.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 7500-Ra B and C as approved alternative methods for radium-226 in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D2460-07 and D3454-05 as approved alternative methods for radium-226 in appendix A to subpart C of 40 CFR 141 on June 8, 2010 (at 75 Fed. Reg. 32295).

4) Radium-228.

A) Standard Methods, 17th, 18th, 19th, 20th, or 21st ed., Method 7500-Ra D;

B) New York Radium Method;

C) USEPA Interim Radiochemical Methods, pages 24-28;

D) USEPA Radioactivity Methods, Method 904.0;

E) USEPA Radiochemical Analyses, pages 19-32;

F) USEPA Radiochemistry Procedures, Method Ra-05;

G) USGS Methods, Method R-1142-76;

H) New Jersey Radium Method; or

I) Georgia Radium Method.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 7500-Ra D as an approved alternative method for radium-228 in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

5) Uranium.

A) Standard Methods, 17th, 18th, 19th, 20th, or 21st ed., Method 7500-U C;

B) Standard Methods, 20th ed., Method 3125;

C) ASTM Methods.

i) Method D2907-97;

ii) Method D3972-97 or D3972-02;

iii) Method D5174-97, D5174-02, ~~or~~ D5174-07, or D3972-09; or

iv) Method D5673-03 or Method 5673-05;

D) USEPA Radioactivity Methods, Methods 908.0, 908.1;

E) USEPA Environmental Metals Methods, Method 200.8 (rev. 5.3);

F) USEPA Radiochemical Analyses, pages 33-48;

G) USEPA Radiochemistry Procedures, Method 00-07;

H) EML Procedures Manual (27th or 28th ed.), Method U-02 or U-04; or

I) USGS Methods.

i) Method R-1180-76;

ii) Method R-1181-76; or

iii) Method R-1182-76.

BOARD NOTE: If uranium (U) is determined by mass, a conversion factor of 0.67 pCi/µg of uranium must be used. This conversion factor is based on the 1:1 activity ratio of ^{234}U and ^{238}U that is characteristic of naturally occurring uranium.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 7500-U C and ASTM D5673-05 as approved alternative methods for uranium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Method D5174-07 as an approved alternative method for uranium in appendix A to subpart C of 40 CFR 141 on June 8, 2010 (at 75 Fed. Reg. 32295). USEPA added ASTM Method D3972-09 as an approved alternative method for uranium in appendix A to subpart C of 40 CFR 141 on June 24, 2011 (at 76 Fed. Reg. 37014).

6) Radioactive Cesium.

A) ASTM Methods.

i) Method D2459-72; or

ii) Method D3649-91, D3649-98a, or D3649-06;

B) Standard Methods.

i) Method 7120, 19th, 20th, or 21st ed.; or

ii) Method 7500-Cs B, 17th, 18th, 19th, 20th, or 21st ed.;

C) EML Procedures Manual (27th or 28th ed.), Method 4.5.2.3;

D) USEPA Interim Radiochemical Methods, pages 4-5;

E) USEPA Radioactivity Methods, Methods 901.0, 901.1;

F) USEPA Radiochemical Analyses, pages 92-95; or

G) USGS Methods.

i) Method R-1110-76; or

ii) Method R-1111-76.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 7120 and 7500-Cs B as approved alternative methods for radioactive

cesium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Method D3649-06 as an approved alternative method for radioactive cesium in appendix A to subpart C of 40 CFR 141 on June 8, 2010 (at 75 Fed. Reg. 32295).

7) Radioactive Iodine.

A) ASTM Methods.

i) D3649-91, D3649-98a, or D3649-06; or

ii) D4785-93, D4785-98, or D4785-08;

B) Standard Methods.

i) Method 7120, 19th, 20th, or 21st ed.;

ii) Method 7500-I B, 17th, 18th, 19th, 20th, or 21st ed.;

iii) Method 7500-I C, 17th, 18th, 19th, 20th, or 21st ed.; or

iv) Method 7500-I D, 17th, 18th, 19th, 20th, or 21st ed.;

C) EML Procedures Manual (27th or 28th ed.), Method 4.5.2.3;

D) USEPA Interim Radiochemical Methods, pages 6-8 or 9-12;

E) USEPA Radiochemical Analyses, pages 92-95; or

F) USEPA Radioactivity Methods, Methods 901.1 or 902.0.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 7120 and 7500-I B, C, and D as approved alternative methods for radioactive iodine in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D3649-06 and D4785-08 as approved alternative methods for radioactive iodine in appendix A to subpart C of 40 CFR 141 on June 8, 2010 (at 75 Fed. Reg. 32295).

8) Radioactive Strontium-89 & 90.

A) Standard Methods.

i) Method 303, 13th ed.; or

ii) Method 7500-Sr B, 17th, 18th, 19th, 20th, or 21st ed.;

B) EML Procedures Manual (27th or 28th ed.), Method Sr-01 or Sr-02.

C) USEPA Interim Radiochemical Methods, pages 29-33;

D) USEPA Radioactivity Methods, Method 905.0;

E) USEPA Radiochemical Analyses, pages 65-73;

F) USEPA Radiochemistry Procedures, Method Sr-04; or

G) USGS Methods, Method R-1160-76.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 7500-Sr B as an approved alternative method for radioactive strontium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616).

9) Tritium.

A) ASTM Methods: Method D4107-91, D4107-98, or D4107-08;

B) Standard Methods.

i) Method 306, 13th ed.; or

ii) Method 7500-^{3}H B, 17th, 18th, 19th, 20th, or 21st ed.;

C) USEPA Interim Radiochemical Methods, pages 34-37;

D) USEPA Radioactivity Methods, Method 906.0;

E) USEPA Radiochemical Analyses, pages 87-91;

F) USEPA Radiochemistry Procedures, Method H-02; or

G) USGS Methods, Method R-1171-76.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Method 7500-^{3}H B as an approved alternative method for tritium in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Method D4107-08 as an approved alternative method for tritium in appendix A to subpart C of 40 CFR 141 on June 8, 2010 (at 75 Fed. Reg. 32295).

10) Gamma Emitters.

A) ASTM Methods.

i) Method D3649-91, D3649-98a, or D3649-06; or

ii) Method D4785-93, D4785-00a, or D4785-08;

B) Standard Methods.

i) Method 7120, 19th, 20th, or 21st ed.;

ii) Method 7500-Cs B, 17th, 18th, 19th, 20th, or 21st ed.; or

iii) Method 7500-I B, 17th, 18th, 19th, 20th, or 21st ed.;

C) EML Procedures Manual (27th or 28th ed.), Method Ga-01-R;

D) USEPA Radioactivity Methods, Methods 901.0, 901.1, or 902.0;

E) USEPA Radiochemical Analyses, pages 92-95; or

F) USGS Methods, Method R-1110-76.

BOARD NOTE: USEPA added Standard Methods, 21st ed., Methods 7120, 7500-Cs B, and 7500-I B as approved alternative methods for

gamma emitters in appendix A to subpart C of 40 CFR 141 on June 3, 2008 (at 73 Fed. Reg. 31616). USEPA added ASTM Methods D3649-08 and D4785-08 as approved alternative methods for tritium in appendix A to subpart C of 40 CFR 141 on June 8, 2010 (at 75 Fed. Reg. 32295).

b) When the identification and measurement of radionuclides other than those listed in subsection (a) of this Section are required, the following methods, incorporated by reference in Section 611.102, are to be used, except in cases where alternative methods have been approved in accordance with Section 611.480:

1) "Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," available from NTIS.

2) EML Procedures Manual (27th or 28th ed.), available from USDOE, EML.

c) For the purpose of monitoring radioactivity concentrations in drinking water, the required sensitivity of the radioanalysis is defined in terms of a detection limit. The detection limit must be that concentration which can be counted with a precision of plus or minus 100 percent at the 95 percent confidence level (1.96σ, where σ is the standard deviation of the net counting rate of the sample).

1) To determine compliance with Section 611.330(b), (c), and (e), the detection limit must not exceed the concentrations set forth in the following table:

Contaminant	Detection Limit
Gross alpha particle activity	3 pCi/ℓ
Radium-226	1 pCi/ℓ
Radium-228	1 pCi/ℓ
Uranium	1 µg/ℓ

BOARD NOTE: Derived from 40 CFR 141.25(c) Table B (2011~~2009~~).

2) To determine compliance with Section 611.330(d), the detection limits must not exceed the concentrations listed in the following table:

Radionuclide	Detection Limit
Tritium	1,000 pCi/ℓ

Strontium-89	10 pCi/ℓ
Strontium-90	2 pCi/ℓ
Iodine-131	1 pCi/ℓ
Cesium-134	10 pCi/ℓ
Gross beta	4 pCi/ℓ
Other radionuclides	1/10 of applicable limit

BOARD NOTE: Derived from 40 CFR 141.25(c) Table C (2011~~2009~~).

d) To judge compliance with the MCLs listed in Section 611.330, averages of data must be used and must be rounded to the same number of significant figures as the MCL for the substance in question.

BOARD NOTE: Derived from 40 CFR 141.25 and appendix A to subpart C of 40 CFR 141 (2011~~2010~~).

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 611.APPENDIX F Mandatory Lead Public Education Information for Non-Transient Non-Community Water Systems

1) INTRODUCTION

The United States Environmental Protection Agency (USEPA) and (insert name of water supplier) are concerned about lead in your drinking water. Some drinking water samples taken from this facility have lead levels above the USEPA action level of 15 parts per billion (ppb), or 0.015 milligrams of lead per liter of water (mg/ℓ). Under Federal law we are required to have a program in place to minimize lead in your drinking water by (insert date when corrosion control will be completed for your system). This program includes corrosion control treatment, source water treatment, and public education. We are also required to replace the portion of each lead service line that we own if the line contributes lead concentrations of more than 15 ppb after we have completed the comprehensive treatment program. If you have any questions about how we are carrying out the requirements of the lead regulation please give us a call at (insert water system's phone number). This brochure explains the simple steps you can take to protect you and your family by reducing your exposure to lead in drinking water.

2) HEALTH EFFECTS OF LEAD

Lead is found throughout the environment in lead-based paint; air; soil; household dust; food; certain types of pottery, porcelain, and pewter; and water. Lead can pose a significant risk to your health if too much of it enters your body. Lead builds up in the body over many years and can cause damage to the brain, red blood cells, and kidneys. The greatest risk is to young children and pregnant women. Amounts of lead that won't hurt adults can slow down normal mental and physical development of growing bodies. In addition, a child at play often comes into contact with sources of lead contamination – like dirt and dust – that rarely affect an adult. It is important to wash children's hands and toys often, and to try to make sure they only put food in their mouths.

3) LEAD IN DRINKING WATER

A) Lead in drinking water, although rarely the sole cause of lead poisoning, can significantly increase a person's total lead exposure, particularly the exposure of infants who drink baby formulas and concentrated juices that are mixed with water. The EPA estimates that drinking water can make up 20 percent or more of a person's total exposure to lead.

B) Lead is unusual among drinking water contaminants in that it seldom occurs

naturally in water supplies like rivers and lakes. Lead enters drinking water primarily as a result of the corrosion, or wearing away, of materials containing lead in the water distribution system and household plumbing. These materials include lead-based solder used to join copper pipe, brass, and chrome plated brass faucets, and in some cases, pipes made of lead that connect houses and buildings to the water main (service lines). In 1986, Congress banned the use of lead solder containing greater than 0.2% lead, and restricted the lead content of faucets, pipes, and other plumbing materials to 8.0%.

C) When water stands in lead pipes or plumbing systems containing lead for several hours or more, the lead may dissolve into your drinking water. This means the first water drawn from the tap in the morning, or later in the afternoon after returning from work or school, can contain fairly high levels of lead.

4) STEPS YOU CAN TAKE TO REDUCE EXPOSURE TO LEAD IN DRINKING WATER

A) Let the water run from the tap before using it for drinking or cooking any time the water in a faucet has gone unused for more than six hours. The longer water resides in plumbing the more lead it may contain. Flushing the tap means running the cold water faucet until the water gets noticeably colder, usually about 15-30 seconds. Although toilet flushing or showering flushes water through a portion of the plumbing system, you still need to flush the water in each faucet before using it for drinking or cooking. Flushing tap water is a simple and inexpensive measure you can take to protect your family's health. It usually uses less than one gallon.

B) Do not cook with or drink water from the hot water tap. Hot water can dissolve more lead more quickly than cold water. If you need hot water, draw water from the cold tap and heat it.

C) The steps described above will reduce the lead concentrations in your drinking water. However, if you are still concerned, you may wish to use bottled water for drinking and cooking.

D) You can consult a variety of sources for additional information. Your family doctor or pediatrician can perform a blood test for lead and provide you with information about the health effects of lead. State and local government agencies that can be contacted include the following:

i) (Insert the name or title of facility official if appropriate) at (insert phone number) can provide you with information about your facility's water supply; and

ii) The Illinois Department of Public Health at 217-782-4977 or 312-814-2608 or the (insert the name of the city or county health department) at (insert phone number) can provide you with information about the health effects of lead.

BOARD NOTE: Derived from 40 CFR 141.85(a)(2) (2011~~2002~~). The Department of Public Health (Department) regulates non-community water supplies, including non-transient, non-community water supplies. The Department has incorporated this Part into its regulations at 77 Ill. Adm. Code 900.15(a)(2)(A) and 900.20(k)(2). Thus, the Board has included the notice language of 40 CFR 141.85(a)(2) in~~an~~ this Section for the purposes of facilitating federal review and authorization of the Illinois drinking water regulations.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Clean Construction or Demolition Debris Fill Operations

2) Code Citation: 35 Ill. Admin. Code 1100

3)

Section Numbers:	Proposed Action:
1100.101	Amended
1100.103	Amended
1100.104	Amended
1100.201	Amended
1100.203	Amended
1100.204	Amended
1100.205	Amended
1100.206	Amended
1100.207	Amended
1100.208	Amended
1100.209	Amended
1100.211	Amended
1100.212	New
1100.304	Amended
1100.306	Amended
1100.307	Amended
1100.309	Amended
1100.412	Amended
1100.500	New
1100.505	New
1100.510	New
1100.515	New
1100.520	New
1100.525	New
1100.530	New
1100.600	New
1100.605	New
1100.610	New
1100.615	New

4) Statutory Authority: 415 ILCS 5/10, 22.51, 22.51a, 27, and 28

5) A Complete Description of the Subjects and Issues Involved: On July 29, 2011, the Illinois Environmental Protection Agency (IEPA) filed a proposal pursuant to Sections

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

22.51 and 22.51a of the Environmental Protection Act (Act) (415 ILCS 5/22.51 and 22.51a (2010)) with the Board. The proposal will amend the Board's rules for Clean Construction or Demolition Debris Fill Operations to allow for use of uncontaminated clean construction or demolition debris (CCDD) and uncontaminated soil to be used as fill at quarries, mines and other excavations. The Board held two hearings and proceeds to first notice with a rule that sets standards for levels of constituents in uncontaminated soil, requires certifications for soil and detailed registration for soil fill sites.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: Soil Survey Staff Natural Resources Conservation Service, United States Department of Agriculture. U.S. General Soil Map (STATSGO2). Available online at http://soildatamart.nrcs .usda. gov.

United States Environmental Protection Agency: Hazardous Waste Test Methods: TCLP Questions, "Total Constituent Analysis Instead of TCLP Analysis". Available online at http ://www.epa.gov/osw/hazard/testrnethods/fag/fag tclp.htm.

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Do these proposed amendments contain incorporations by reference? No

10) Are there any other proposed amendments pending on this Part? No

11) Statement of Statewide Policy Objectives: This 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)].

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 refer to Docket R12-09 and be addressed to:

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

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Businesses which either accept CCDD or uncontaminated soil or businesses which seek to remove CCDD or uncontaminated soil from a site and place CCDD or uncontaminated soil in a CCDD or uncontaminated soil fill operation.

B) Reporting, bookkeeping or other procedures required for compliance: Owners of uncontaminated soil fill operations will be required to provide information to the Illinois Environmental Protection Agency such as site maps, description of the facility, and a closure plan.

C) Types of Professional skills necessary for compliance: None

14) Regulatory Agenda in which these amendments were summarized: January 2012

15) Do these amendments require the review of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code? No

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE J: CLEAN CONSTRUCTION OR DEMOLITION DEBRIS
CHAPTER I: POLLUTION CONTROL BOARD

PART 1100
CLEAN CONSTRUCTION OR DEMOLITION DEBRIS FILL OPERATIONS
AND UNCONTAMINATED SOIL FILL OPERATIONS

SUBPART A: GENERAL

Section
1100.101 Scope and Applicability
1100.102 Severability
1100.103 Definitions
1100.104 Incorporations by Reference

SUBPART B: OPERATING STANDARDS FOR CCDD FILL OPERATIONS

Section
1100.201 Prohibitions
1100.202 Surface Water Drainage
1100.203 Annual Facility Map
1100.204 Operating Standards
1100.205 Certifications and Load Checking
1100.206 Salvaging
1100.207 Boundary Control
1100.208 Closure
1100.209 Postclosure Maintenance
1100.210 Recordkeeping Requirements
1100.211 Annual Reports
1100.212 Use of Painted CCDD as Fill Material

SUBPART C: PERMIT APPLICATION INFORMATION FOR CCDD FILL OPERATIONS

Section
1100.301 Scope and Applicability
1100.302 Notification
1100.303 Required Signatures
1100.304 Site Location Map

1100.305 Facility Plan Maps
1100.306 Narrative Description of the Facility
1100.307 Proof of Property Ownership and Certifications
1100.308 Surface Water Control
1100.309 Closure Plan
1100.310 Postclosure Maintenance Plan

SUBPART D: PROCEDURAL REQUIREMENTS FOR PERMITTING CCDD FILL OPERATIONS

Section
1100.401 Purpose of Subpart
1100.402 Delivery of Permit Application
1100.403 Agency Decision Deadlines
1100.404 Standards for Issuance of a Permit
1100.405 Standards for Denial of a Permit
1100.406 Permit Appeals
1100.407 Permit No Defense
1100.408 Term of Permit
1100.409 Transfer of Permits
1100.410 Procedures for the Modification of Permits
1100.411 Procedures for the Renewal of Permits
1100.412 Procedures for Closure and Postclosure Maintenance

SUBPART E: UNCONTAMINATED SOIL FILL OPERATIONS

Section
1100.500 Prohibitions
1100.505 Operating Standards
1100.510 Recordkeeping Requirements
1100.515 Registration
1100.520 Required Signatures
1100.525 Procedures for Closure
1100.530 Termination of Postclosure Maintenance

SUBPART F: STANDARDS FOR UNCONTAMINATED SOIL USED AS FILL MATERIAL AT FILL OPERATIONS REGULATED BY THIS PART

Section

1100.600 Purpose and Applicability
1100.605 Maximum Allowable Concentrations for Chemical Constituents in Uncontaminated Soils
1100.610 Compliance Evaluation; Performance and Documentation of Soil Sampling and Chemical Analysis
1100.615 Waste and Materials Other Than Chemical Constituents in Soils

AUTHORITY: Implementing Sections 5, 3.160, 22.51, and 22.51a and authorized by Sections 3.160, 22.51, 22.51a, and 27 of the Environmental Protection Act [415 ILCS 5/5, 22.51, 22.51a, and 27].

SOURCE: Adopted in R06-19 at 30 Ill. Reg.14534, effective August 24, 2006; amended in R12-9 at 36 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 1100.101 Scope and Applicability

a) This Part applies to all clean construction or demolition debris (CCDD) fill operations that are required to be permitted pursuant to Section 22.51 of the Act, other than CCDD fill operations permitted pursuant to 35 Ill. Adm. Code 807 or 811 through 814, and to all uncontaminated soil fill operations that are required to be registered pursuant to Section 22.51a of the Act.

b) This Part does not apply to:

1) CCDD or uncontaminated soil that is not~~other than CCDD~~ used as fill material in a current or former quarry, mine, or other excavation;

2) The use of CCDD or uncontaminated soil as fill material in a current or former quarry, mine, or other excavation located on the site where the CCDD or uncontaminated soil was generated~~*The use of CCDD as fill material in a current or former quarry, mine, or other excavation located on the site where the CCDD was generated* [415 ILCS 5/22.51(b)(4)(A)]~~;

3) The use of CCDD or uncontaminated soil as fill material in an excavation other than a current or former quarry or mine if the use complies with Illinois Department of Transportation specifications~~*The use of CCDD as fill material in an excavation other than a current or former quarry or*~~

~~*mine if* the *use complies with Illinois Department of Transportation specifications* [415 ILCS 5/22.51(b)(4)(B)]~~;

BOARD NOTE: The Illinois Department of Transportation (IDOT) specifications applicable to the use of CCDD or uncontaminated soil as fill can be found at Articles 107.22 and 202.03 of IDOT's "Standard Specifications for Road and Bridge Construction." According to IDOT specifications, this exemption applies to IDOT, a county, a municipality, or a township.

4) Current or former quarries, mines, and other excavations that do not use CCDD or uncontaminated soil as fill material~~*Current or former quarries, mines, and other excavations that do not use clean construction or demolition debris as fill material* [415 ILCS 5/22.51(b)(4)(C)]~~;

5) The use of the following types of material as fill material:

A) CCDD or soil that is considered "waste" under the Act or rules adopted pursuant to the Act; or

B) Any material other than CCDD or uncontaminated soil, including, but not limited to, material generated on site as part of a mining process; and

6) The portions of a site not used for a CCDD fill operation or an uncontaminated soil fill operation.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.103 Definitions

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part will be the same as that applied to the same words or terms in the Environmental Protection Act [415 ILCS 5]:

"10-year, 24-hour precipitation event" means a precipitation event of 24-hour duration with a probable recurrence interval of once in 10 years.

"100-year, 24-hour precipitation event" means a precipitation event of 24-hour duration with a probable recurrence interval of once in 100 years.

"Acceptable Detection Limit" or "ADL" means the detectable concentration of a substance that is equal to the lowest appropriate Practical Quantitation Limit (PQL) as defined in this Section.

"Act" means the Environmental Protection Act [415 ILCS 5].

"Agency" is the Illinois *Environmental Protection Agency established by* the *Act.* [415 ILCS 5/3.105]

"Applicant" means the person submitting an application to the Agency for a permit for a CCDD fill operation.

"Aquifer" means saturated (with groundwater) soils and geologic materials which are sufficiently permeable to readily yield economically useful quantities of water to wells, springs, or streams under ordinary hydraulic gradients and whose boundaries can be identified and mapped from hydrogeologic data. (Section 3 of the Illinois Groundwater Protection Act [415 ILCS 55/3])

"Board" is the Pollution Control Board established by the *Act.* [415 ILCS 5/3.105]

"CCDD" means clean construction or demolition debris.

"CCDD fill operation" means *a current or former quarry, mine, or other excavation where clean construction or demolition debris is used as fill material.* [415 ILCS 5/22.51(e)(3)]~~the use of CCDD as fill material in a current or former quarry, mine, or other excavation. For purposes of this Part, the term "other excavation" does not include holes, trenches, or similar earth removal created as part of normal construction, removal, or maintenance of a structure, utility, or transportation infrastructure.~~

"Clean construction or demolition debris" means uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed or other asphalt pavement, or soil generated from construction or demolition activities. For purposes of this Part, CCDD may include uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, or reclaimed or other asphalt

pavement that has been painted (painted CCDD) if the painted CCDD is used as fill material at a CCDD fill operation in accordance with Section 1100. 212. *Clean construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.* For purposes of this Part, uncontaminated soil may include incidental amounts of stone, ~~clay,~~ rock, ~~sand,~~ gravel, roots, and other vegetation. [415 ILCS 5/3.160(b)]~~*To the extent allowed by federal law, clean construction or demolition debris shall not be considered "waste" if it is:used as fill material outside of a setback zone if the fill is placed no higher than the highest point of elevation existing prior to the filling immediately adjacent to the fill area, and if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure; orseparated or processed and returned to the economic mainstream in the form of raw materials or products, if it is not speculatively accumulated and, if used as a fill material, it is used in accordance with* the first indented paragraph immediately above *within 30 days of its generation; orsolely broken concrete without protruding metal bars used for erosion control; orgenerated from the construction or demolition of a building, road, or other structure and used to construct, on the site where the construction or demolition has taken place, a manmade functional structure not to exceed 20 feet above the highest point of elevation of the property immediately adjacent to the new manmade functional structure as that elevation existed prior to the creation of that new structure, provided that the structure shall be covered with sufficient soil materials to sustain vegetation or by a road or structure, and further provided that no such structure shall be constructed within a home rule municipality with a population over 500,000 without the consent of the municipality.* [415 ILCS 5/3.160(b)]~~

"Documentation" means items, in any tangible form, whether directly legible or legible with the aid of any machine or device, including but not limited to affidavits, certificates, deeds, leases, contracts or other binding agreements, licenses, permits, photographs, audio or video recordings, maps, geographic surveys, chemical and mathematical formulas or equations, mathematical and statistical calculations and assumptions, research papers, technical reports, technical designs and design drawings, stocks, bonds, and financial records, that are used to support facts or hypotheses.

"Facility" means the areas of a site and all equipment and fixtures on a site used for a CCDD fill operation or uncontaminated soil fill operation. A facility consists of an entire ~~CCDD~~ fill operation. All structures used in connection with or to facilitate the ~~CCDD~~ fill operation will be considered a part of the facility.

"Filled area" means areas within a unit where CCDD or uncontaminated soil has been placed as fill material.

"Fill operation" means a CCDD fill operation or an uncontaminated soil fill operation, as the context requires.

~~"Malodor" means an odor caused by *one or more contaminant emissions into the atmosphere from a facility that is in sufficient quantities and of such characteristics and duration as to be* described as malodorous and which may be *injurious to human, plant, or animal life, to health, or to property, or may unreasonably interfere with the enjoyment of life or property*. [415 ILCS 5/3.115]~~

"Mine" means an excavation created for the purpose of extracting ore or minerals, including, but not limited to, coal.

"National Pollutant Discharge Elimination System" or "NPDES" means the program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under the Clean Water Act (33 USC 1251 et seq.), Section 12(f) of the Act, Subpart A of 35 Ill. Adm. Code 309, and 35 Ill. Adm. Code 310.

"NPDES permit" means a permit issued under the NPDES program.

"Operator" means a person responsible for the operation and maintenance of a ~~CCDD~~ fill operation. [415 ILCS 5/22.51(e)(1)]

"Other excavation" means a pit other than a quarry or mine created primarily for the purpose of extracting resources, including, but not limited to, clay or other soil and does not include holes, trenches, or similar earth removal created as part of normal construction, removal, or maintenance of a structure, utility, or transportation infrastructure.

"Owner" means a person who has any direct or indirect interest in a ~~CCDD~~ fill operation or in land on which a person operates and maintains a ~~CCDD~~ fill

operation. A "direct or indirect interest" does not include the ownership of publicly traded stock. The "owner" is the "operator" if there is no other person who is operating and maintaining a ~~CCDD~~ fill operation. [415 ILCS 5/22.51(e)(2)]

"Person" is any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, State agency, or any other legal entity, or their legal representative, agent or assigns. [415 ILCS 5/3.115]

"Potentially impacted property" means property on which a historical or current use, or contaminant migration from a proximate site, increases the presence or potential presence of contamination at the source site.

"Potentially impacted property" is intended to identify soil that is more likely to be contaminated and in need of professional evaluation and certification before placement in a fill site. The following should be considered when determining whether property is "potentially impacted property": the current use of the property, prior uses of the property, and the uses of adjoining property. For example, for transportation rights of way or utility easements, the current use of the property as a right of way or easement, the uses of the property prior to its use as a right of way or easement, and the uses of adjoining property should be considered. Source site owners are encouraged to coordinate with the receiving facility on soil certifications.

"Practical Quantitation Limit" or "PQL" means the lowest concentration that can be reliably measured within specified limits of precision and accuracy for a specific laboratory analytical method during routine laboratory operating conditions in accordance with "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", EPA Publication No. SW-846, incorporated by reference in Section 1100.104 of this Part.

"Professional engineer" or "PE" means a person who has registered and obtained a seal pursuant to the Professional Engineering Practice Act of 1989 [225 ILCS 325].

"Professional Geologist" or "PG" means a person licensed to practice as a professional geologist pursuant to the Professional Geologist Licensing Act [225 ILCS 745].

"Quarry" means an open surface excavation or pit created for the purpose of extracting stone, rock, sand and gravel.

"Runoff" means water resulting from precipitation that flows overland before it enters a defined stream channel, any portion of such overland flow that infiltrates into the ground before it reaches the stream channel, and any precipitation that falls directly into a stream channel.

"Salvaging" means the return of CCDD to use other than use as fill at a CCDD fill operation.

"Setback zone" means a geographic area, designated pursuant to the *Act, containing a potable water supply well or a potential source or potential route, having a continuous boundary, and within which certain prohibitions or regulations are applicable in order to protect groundwaters.* [415 ILCS 5/3.450]

"Site of origin" means the site where the CCDD or uncontaminated soil was generated from construction or demolition activities.

"Source site operator" means a person responsible for the operation of the site of origin of the CCDD or uncontaminated soil.

"Source site owner" means a person having an ownership interest in the site of origin of the CCDD or uncontaminated soil.

"Uncontaminated soil" means soil generated during construction, remodeling, repair or demolition of utilities, structures and roads *that does not contain contaminants in concentrations that pose a threat to human health and safety and the environment.* [415 ILCS 5/3.160(c)] Subpart F of this Part establishes standards for soil that is considered uncontaminated for purposes of this Part.

"Uncontaminated soil fill operation" means a current or former quarry, mine, or other excavation where uncontaminated soil is used as fill material but does not include a clean construction or demolition debris fill operation. [415 ILCS 5/22.51a(a)(2)].

"Unit" means a contiguous area within a facility where CCDD or uncontaminated soil is placed~~that is permitted for the placement of CCDD~~ as fill material.

"Working face" means any part of a unit where CCDD or uncontaminated soil is being placed as fill.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.104 Incorporations by Reference

a) The Board incorporates the following material by reference:

ASTM. American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959. (610) 832-9585

ASTM E 1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, approved November 1, 2005.

ASTM E 1528-06 Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process, approved February 1, 2006.

"Human Health Toxicity Values in Superfund Risk Assessments (2003)". U.S. Environmental Protection Agency, Office of Solid Waste and Emergency Response, Washington, DC, OSWER Directive 9285.7-53, 2003. (Available online at http://www.epa.gov/oswer/riskassessment/pdf/hhmemo.pdf.)

IRIS. Integrated Risk Information System, National Center for Environmental Assessment, United States Environmental Protection Agency, 26 West Martin Luther King Drive, MS-190, Cincinnati, OH 45268, (513) 569-7254.

"Reference Dose (RfD): Description and Use in Health Risk Assessments", Background Document IA (March 15, 1993).

"Guidelines for Carcinogen Risk Assessment (2005)". U.S. Environmental Protection Agency, Washington, DC, EPA

Publication No. EPA/630/P-03/001F, 2005. (Available online at http://www.epa.gov/ttn/atw/cancer_guidelines_final_3-25-05.pdf.)

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (800) 553-6847~~U.S. Government Printing Office, Washington, D.C. 20402, Ph: 202-783-3238~~:

Test Methods for Evaluating Solid Waste, Physical/Chemical methods, EPA Publication SW-846 (Third Edition, 1986 as amended by Updates I, II, IIA, IIB, III, IIIA, ~~and~~ IIIB, IVA and IVB).

b) This incorporation includes no later amendments or editions.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART B: OPERATING STANDARDS FOR CCDD FILL OPERATIONS

Section 1100.201 Prohibitions

a) *No person shall conduct any* CCDD *fill operation in violation of* the *Act or any regulations or standards adopted by the Board.* [415 ILCS 5/22.51(a)].

b) CCDD fill operations must not accept waste for use as fill.

c) CCDD fill operations must not be located inside a setback zone of a potable water supply well. (See Section 3.160(b)(i) of the Act.)

d) *No person shall use soil other than uncontaminated soil as fill material at a CCDD fill operation.* [415 ILCS 5/22.51(g)(1)]

e) *No person shall use construction or demolition debris other than CCDD as fill material at a CCDD fill operation.* [415 ILCS 5/22.51(g)(2)]

f) Except as provided in Section 1100.212 of this Part, no person shall use painted clean construction or demolition debris (painted CCDD) as fill material at a CCDD fill operation.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.203 Annual Facility Map

The owner or operator must submit an annual facility map with the annual report required under Section 1100.211 to the Agency each calendar year by the date specified in the Agency permit. The map must have a scale no smaller than one inch equals 200 feet, show the horizontal extent of filled areas as of the date of the map, and show the same information as required for facility plan maps under Sections 1100.305(a) through (d)~~ of this Part~~.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.204 Operating Standards

a) Placement of Fill Material
Fill material must be placed in a safe manner that protects human health and the environment in conformance with the provisions of the Act and the regulations adopted under the Act.

b) Size and Slope of Working Face
The working face of the fill operation must be no larger than is necessary, based on the terrain and equipment used in material placement, to conduct operations in a safe and efficient manner in conformance with the provisions of the Act and the regulations adopted under the Act.

c) Equipment
Equipment must be maintained and available for use at the facility during all hours of operation, so as to achieve and maintain compliance with the requirements of this Part.

d) Utilities
All utilities, including but not limited to heat, lights, power, and communications equipment, necessary for safe operation in compliance with the requirements of this Part must be available at the facility at all times.

e) Maintenance
The owner or operator must maintain and operate all systems and related appurtenances and structures in a manner that facilitates proper operations in compliance with this Part.

f) Dust Control
The owner or operator must implement methods for controlling dust so as to minimize off-site wind dispersal of particulate matter.

g) Noise Control
The facility must be designed, constructed, and maintained to minimize the level of equipment noise audible outside the site. The facility must not cause or contribute to a violation of the Board's noise regulations or Section 24 of the Act.

h) Fill Elevation
The owner or operator must not place CCDD used as fill *higher than the highest point of elevation existing prior to the filling immediately adjacent to the fill area.* [415 ILCS 5/3.160(b)]

BOARD NOTE: This does not prohibit non-CCDD materials, such as uncontaminated soil and other non-waste material, from being placed above grade in accordance with the Act and regulations adopted thereunder to increase elevations at the fill site.

i) Mud Tracking
The owner or operator must implement methods to minimize tracking of mud by hauling vehicles onto public roadways.

j) Odor and Nuisance
The fill operation must not cause foul odors or other nuisance.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.205 Certifications and Load Checking

a) The owner or operator must do all of the following activities and document all the activities for all CCDD and uncontaminated soil accepted for use as fill material:

1) For all soil, including soil mixed with CCDD, obtain:

A) a certification from the source site owner or source site operator that the site is not a potentially impacted property, as determined in accordance with ASTM E 1528-06 Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process,

incorporated by reference at Section 1100.104 and is presumed to be uncontaminated soil. If soil is consolidated from more than one source site, a certification must be obtained from each source site owner or source site operator; or

B) a certification from a PE or PG that the soil is uncontaminated soil based on a site evaluation conducted in accordance with ASTM E 1527-05 Standard Practice for Environmental Site assessments: Phase I Environmental Site Assessment Process, incorporated by reference at Section 1100.104. A certification under this subsection (a)(1)(B) must include analytical soil testing results to show that soil chemical constituents comply with the maximum allowable concentrations established pursuant to Subpart F of this Part.

2) Certifications required under subsections (a)(1)(A) and (a)(1)(B) must be on forms and in a format prescribed by the Agency and must provide at a minimum:

A) for source site owners or source site operators who certify under subsection (a)(1)(A), the following language: In accordance with the Environmental Protection Act [415 ILCS 5/22.51 or 22.51a] and 35 Ill. Adm. Code 1100.205(a), I _____ (owner or operator of source site) certify that this site is not a potentially impacted property, as determined in accordance with ASTM E 1528-06 Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process, and the soil is presumed to be uncontaminated soil. I also certify that I am either the site owner or site operator or a duly authorized representative of the site owner or site operator and am authorized to sign this form. Furthermore, I certify that all information submitted, including but not limited to all attachments and other information, is, to the best of my knowledge and belief, true, accurate and complete.

B) for PE or PG who certify under subsection (a)(1)(B), the following language: I _____

_____ (name of licensed professional engineer or geologist) certify under penalty of law that the information submitted, including but not limited to all attachments and other information, is, to the best of my knowledge and belief, true, accurate, and complete. In accordance with the Environmental Protection Act [415 ILCS 5/22.51 or 22.51a] and 35 Ill. Adm. Code 1100.205(a), I certify that the soil from this site is uncontaminated soil based on a site evaluation conducted in accordance with ASTM E 1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. All necessary documentation is attached.

3) Confirm and document that the CCDD or uncontaminated soil was not removed from a site as part of a cleanup or removal of contaminants, including, but not limited to, activities conducted under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, as part of a Closure or Corrective Action under the Resource Conservation and Recovery Act, as amended, or under an Agency remediation program, such as the Leaking Underground Storage Tank Program or Site Remediation Program, but excluding sites subject to Section 58.16 of the Act when there is no presence or likely presence of a release or a substantial threat of a release of a regulated substance at, on, or from the real property.

4) For all testing conducted to determine that the soil is uncontaminated, obtain documentation to show that the soil was tested in accordance with the requirements of Subpart F of this Part.

5) Obtain documentation on rejected loads.

A) For loads rejected from the same or another fill operation, the owner or operator may accept a rejected load if subsections (a)(1) through (a)(4) are satisfied and the owner or operator also obtains the following information:

i) Information identifying the rejected load and the reasons it was rejected, including, but not limited to, a copy of the

written notice the driver received pursuant to subsection (b)(4)(A) of this Section when the load was rejected;

ii) Information demonstrating that the load proposed for acceptance is the rejected load identified in this subsection (a)(5);

iii) Information demonstrating that the reasons for rejection of the load have been addressed by measures that would include, but not be limited to, testing and retesting of soils or removal of nonconforming materials; and

iv) For all soil, including soil mixed with CCDD, a certification meeting the requirements of subsection (a)(1) of this Section that is executed after correction of the reasons for the load rejection. This subsection (a)(5)(A)(iv) does not apply if load rejection was due to the detection of non-CCDD or non-soil material, including, but not limited to, wood, glass, piping, vegetation, plastic, metal, electrical wiring, or concrete with protruding rebar.

B) Except as provided in subsection (a)(5)(A)(iv), the information required under this subsection (a)(5) must be on forms and in a format prescribed by the Agency, and must be certified by the source site owner, the source site operator, a PE or PG. Loads accepted pursuant to this subsection (a)(5) are subject to all other requirements of this Part, including, but not limited to, the load checking program in effect at the receiving fill operation (see subsection (b)).

b) The owner or operator must institute and conduct a load checking program designed to detect attempts to dispose of waste at the facility. At a minimum, the load checking program must consist of the following components:

1~~a~~) Routine Inspections

A~~1~~) An inspector designated by the facility must inspect every load before its acceptance at the facility utilizing an elevated structure, a designated ground level inspection area, or another acceptable

method as specified in the Agency permit. In addition to a visual inspection, the inspector must use an instrument with a photo ionization detector utilizing a lamp of 10.6 eV or greater or an instrument with a flame ionization detector, or other monitoring devices approved by the Agency, to inspect each load. All instruments shall be interpreted based on the manufacturer's margin of error. Any reading in excess of background levels using any of these instruments must result in the rejection of the inspected load. In addition, any reading in excess of background levels on any monitoring device used by the Agency during an Agency inspection must result in the rejection of the inspected load.

B~~2~~) Cameras or other devices may be used to record the visible contents of shipments. Where such devices are employed, their use should be designated on a sign posted near the entrance to the facility.

2~~b~~) Random Inspections

A~~1~~) In addition to the inspections required under subsection (b)(1)~~(a) of this Section~~, an inspector designated by the facility must conduct a discharge inspection of at least one randomly selected load delivered to the facility each day. The driver of the randomly selected load must be directed to discharge the load at a separate, designated location within the facility. The inspector must conduct an inspection of the discharged material that includes, but is not limited to, additional visual inspection and additional instrument testing using the instruments required under subsection (b)(1)(A)~~(a)(1) of this Section~~. All instruments shall be interpreted based on the manufacturer's margin of error. Any reading in excess of background levels using any of these instruments must result in the rejection of the inspected load. In addition, any reading in excess of background levels on any monitoring device used by the Agency during an Agency inspection must result in the rejection of the inspected load.

B~~2~~) Cameras or other devices may be used to record the visible contents of shipments. Where such devices are employed, their

use should be designated on a sign posted near the entrance to the facility.

3~~e~~) Documentation of Inspection Results
The documentation for each inspection must include, at a minimum, the following:

A~~1~~) The date and time of the inspection, the date the CCDD or uncontaminated soil was received, the weight or volume of the CCDD or uncontaminated soil, the name of the hauler, the name of the hauling firm, the vehicle identification number or license plate number, the source site owner and source site operator, and the location of the site of origin of the CCDD or uncontaminated soil~~source of the CCDD~~;

B~~2~~) The results of the routine inspection required under subsection (b)(1)~~(a)~~ of this Section, including, but not limited to, the monitoring instruments used, whether the load was accepted or rejected, and for rejected loads the reason for the rejection;

C~~3~~) The results of any random inspection required under subsection (b)(2) of this Section, including, but not limited to, the monitoring instruments used, whether the load was accepted or rejected, and for rejected loads the reason for the rejection; and

D~~4~~) The name of the inspector.

4~~d~~) Rejection of Loads

A~~1~~) If material other than CCDD or uncontaminated soil is found or suspected, the owner or operator must reject the load and present the driver of the rejected load with written notice of the following:

i~~A~~) That only CCDD or uncontaminated soil is accepted for use as fill at the facility;

ii~~B~~) The reasons for rejections of the load, that~~That the rejected load contains or is suspected to contain material other than CCDD, and that~~ the material must not be taken to another

~~CCDD~~ fill operation, except as provided in subsection (b)(4)(A)(iv), or the material ~~and~~ must be ~~properly recycled or~~ disposed of at a permitted landfill;

iii~~C~~) That, for all inspected loads, the owner or operator is required to record and make available for Agency inspection, at a minimum, the date and time of the inspection, the weight or volume of the CCDD or uncontaminated soil, the name of the hauler, the name of the hauling firm, the vehicle identification number or license plate number, the source site owner and source site operator, and the location of the site of origin of the fill; and~~source of the fill and is required to make this information available to the Agency for inspection.~~

iv) That a load rejected from a fill operation may be accepted by the same fill operation or another fill operation if the requirements of subsection (a)(5) are satisfied.

B~~2~~) The owner or operator must ensure the cleanup, transportation, and proper disposal of any material other than CCDD or uncontaminated soil that remains at the facility after the rejection of a load.

5~~e~~) The owner or operator must take special precautionary measures ~~as specified in the Agency permit~~ prior to accepting loads from persons or sources found or suspected to be responsible for sending or transporting material other than CCDD or uncontaminated soil to the facility. The special precautionary measures may include, but are not limited to, communication with the source site owner or source site operator of the CCDD or uncontaminated soil, communication with the PE or PG certifying pursuant to subsection (a)(1)(B), questioning the driver about the load prior to its discharge, and increased visual inspection and instrument testing of the load.

6~~f~~) If material other than CCDD or uncontaminated soil is discovered to be improperly accepted or deposited at the facility, the owner or operator must remove and properly dispose of the material.

7~~g~~) The owner or operator must ensure that all appropriate facility personnel are properly trained in the identification of material that is not CCDD or uncontaminated soil.

8~~h~~) All field measurement activities relative to equipment and instrument operation, calibration and maintenance and data handling shall be conducted in accordance with the following:

A~~1~~) "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846), Vol. One, Ch. One (Quality Control), incorporated by reference at Section 1100.104~~ of this Part~~;

B~~2~~) The equipment or instrument manufacturer's or vendor's published standard operating procedures; or

C~~3~~) Other operating procedures specified in the Agency permit or other written Agency approval.

c~~i~~) Documentation required under this Section must be kept for a minimum of 3 years at the facility or in some alternative location specified in the Agency permit or other written Agency approval. Documentation relating to an appeal, litigation or other disputed claim must be maintained until at least 3 years after the date of the final disposition of the appeal, litigation, or other disputed claim. The documentation must be available for inspection and copying by the Agency and by units of local government upon request during normal business hours.

d) For painted CCDD to be accepted for use as fill material in accordance with Section 1100.212, the owner or operator of the CCDD fill operation must:

1) Obtain a certification from a PE or PG that the painted CCDD satisfies the requirements of Section 1100.212. The certification required under this subsection (d)(1) must be on forms and in a format prescribed by the Agency. Documentation required by Section 1100.212(c)(2) must be attached to the certification form.

2) Comply with the load checking requirements of subsection (b).

3) Comply with the document retention requirements of subsection (c) for the PE or PG certification and the attached documentation required under Section 1100.212(c)(2).

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.206 Salvaging

a) All salvaging operations must in no way interfere with the ~~CCDD~~ fill operation, result in a violation of this Part, or delay the construction of final cover.

b) All salvaging operations must be performed in a safe manner in compliance with the requirements of this Part.

c) Salvageable materials:

1) May be accumulated onsite by an owner or operator, provided they are managed so as not to create a nuisance, harbor vectors, cause foul odors~~malodors~~, or create an unsightly appearance; and

2) May not be accumulated at the facility for longer than one year unless a longer period of time is allowed under the Act or is specified in the Agency permit.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.207 Boundary Control

a) Unauthorized vehicular access to the working face of all units and to all other areas within the boundaries of the facility must be restricted.

b) A permanent sign must be posted at the entrance to the facility or each unit stating that only CCDD or uncontaminated soil is accepted for use as fill.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.208 Closure

a) Completion of Filling

1) The owner or operator is deemed to have completed ~~CCDD~~ filling with CCDD or uncontaminated soil:

A) 30 days after the date on which the facility receives the final load of CCDD or uncontaminated soil for use as fill; or

B) If the facility has remaining capacity and there is a reasonable likelihood that the facility will receive additional CCDD or uncontaminated soil for use as fill, no later than one year after the most recent receipt of CCDD or uncontaminated soil for use as fill.

2) The Agency must grant extensions beyond the one year deadline in subsection (a)(1)(B) ~~of this Section~~ if the owner or operator demonstrates that:

A) The facility has the capacity to receive additional CCDD or uncontaminated soil for use as fill; and

B) The owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment from the facility.

b) Closure

1) Final Cover
All filled areas must be *covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or* must be *covered by a road or structure*. [415 ILCS 5/3.160] The minimum amount of soil to support vegetation is one foot. The final surface must prevent or minimize erosion.

2) Final Slope and Stabilization

A) The final slopes and contours must be constructed to complement and blend with the surrounding topography of the proposed final land use of the area.

B) All drainage ways and swales must be constructed to safely pass the runoff from the 100-year, 24-hour precipitation event without scouring or erosion.

C) The final configuration of the facility must be constructed in a manner that minimizes erosion.

D) Standards for Vegetation

i) Vegetation must minimize wind and water erosion;

ii) Vegetation must be compatible with (i.e., grow and survive under) the local climatic conditions;

iii) Temporary erosion control measures, including, but not limited to, the application, alone or in combination, of mulch, straw, netting, or chemical soil stabilizers, must be undertaken while vegetation is being established.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.209 Postclosure Maintenance

The owner or operator must conduct postclosure maintenance in accordance with this Section and the Agency permit for a minimum of one year after the Agency issues a certificate of closure in accordance with Section 1100.412~~ of this Part~~ unless a shorter period of time for postclosure maintenance is specified in the Agency permit or other written Agency approval. Reasons for which the Agency may specify a shorter period of time for postclosure maintenance include, but are not limited to, conformance with existing reclamation plan requirements, zoning requirements, local ordinances, private contracts, or development plans.

a) The owner or operator must remove all equipment or structures not necessary for the postclosure land use, unless otherwise authorized by the Agency permit or other written Agency approval.

b) Maintenance and Inspection of the Final Cover

1) Frequency of Inspections. The owner or operator must conduct a quarterly inspection of all surfaces during closure and for a minimum of one year after closure.

2) All rills, gullies, and crevices 6 inches or deeper identified in the inspection must be filled. Areas identified by the owner or operator or the Agency as particularly susceptible to erosion must be recontoured.

3) All eroded and scoured drainage channels must be repaired and lining material must be replaced if necessary.

4) All holes and depressions created by settling must be filled and recontoured so as to prevent standing water.

5) All reworked surfaces, and areas with failed or eroded vegetation in excess of 100 square feet cumulatively, must be revegetated in accordance with the approved closure plan for the facility.

c) The Agency must approve postclosure use of the property if the owner or operator demonstrates that the disturbance of the final cover will not increase the potential threat to human health or the environment.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.211 Annual Reports

The owner or operator must submit an annual report to the Agency each calendar year by the date specified in the Agency permit. For an uncontaminated soil fill operation, the first annual report shall be filed on the first of January that follows the year in which the facility is registered in accordance with this Part. The annual report must include, at a minimum, the following information:

a) A summary of the number of loads accepted and the number of loads rejected during the calendar year.

b) Amount of CCDD and uncontaminated soil accepted in the calendar year.

c) Amount of CCDD and uncontaminated soil expected in the next year.

d~~e~~) Any modification affecting the operation of the facility.

e~~d~~) The signature of the owner or operator, or the owner or operator's duly authorized agent as specified in Section 1100.303~~ of this Part~~.

f) Annual facility map required pursuant to Section 1100.203.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.212 Use of Painted CCDD as Fill Material

a) For purposes of this Part, uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, or reclaimed or other asphalt pavement that has been painted (painted CCDD) may be used as fill material at a CCDD fill operation if it is evaluated analytically under the supervision of a PE or PG and if all requirements of this Section are satisfied. Acceptance or management of painted CCDD for any purpose other than use as fill material at a CCDD fill operation must be in accordance with applicable law and may require permits or beneficial use determinations from the Agency. Such other purposes include, but are not limited to, processing of painted CCDD for reuse.

1) The PE or PG must determine, on a site-specific basis, the number and location of paint samples that will provide a representative analysis of paint from the painted CCDD to be used as fill material.

2) The PE or PG must obtain paint samples consisting of representative paint chips or scrapings that include all layers of paint in the area sampled and that minimize the amount of substrate in the sample.

3) Paint samples must be analyzed for arsenic, cadmium, chromium (total), lead, mercury and zinc (contaminants of concern) using the TCLP or SPLP extraction test analytical procedures in accordance with Methods 1311 and 1312, respectively, in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," USEPA Publication No. SW-846, incorporated by reference in Section 1100.104.

A) Paint samples must not be composited for analysis, and analytical results from paint samples must not be averaged.

B) All quantitative analyses of paint samples must be completed by an accredited laboratory in accordance with the requirements of 35 Ill. Adm. Code 186 and the scope of the accreditation.

C) Documentation of any chemical analysis must include, but is not limited to:

i) Chain of custody control;

ii) A copy of the lab analysis;

iii) Accreditation status of the laboratory performing the analysis; and

iv) Certification by an authorized agent of the laboratory that the analysis has been performed in accordance with 35 Ill. Adm. Code 186, the Agency's rules for the accreditation of environmental laboratories and the scope of the accreditation.

4) For painted CCDD to be used as fill material, analytical results for each paint sample must not exceed the chemical-specific Class I groundwater quality standard at 35 Ill. Adm. Code 620.410 for any contaminant of concern identified in subsection (a)(3) of this Section.

b) Notwithstanding subsection (a) of this Section, broken concrete, asphalt pavement, and other roadway CCDD with pavement markings, including but not limited to striping, may be used as fill material at a CCDD fill operation provided that:

1) The pavement markings comply with IDOT specifications for pavement markings; and

2) The CCDD is accompanied by a PE or PG certification, on forms prescribed by the Agency, affirming that the pavement markings comply with IDOT specifications for pavement markings.

BOARD NOTE: The IDOT specifications for pavement markings can be found at Section 1095 of IDOT's "Standard Specifications for Road and Bridge Construction."

(Source: Added at 36 Ill. Reg. _____, effective _____)

SUBPART C: PERMIT APPLICATION INFORMATION FOR CCDD FILL OPERATIONS

Section 1100.304 Site Location Map

All permit applications must contain a site location map on the most recent United States Geological Survey (USGS) quadrangle of the area from the 7½ minute series (topographic) that clearly shows the following information:

a) The site boundaries, the facility boundaries, and all adjacent property extending at least 1000 meters (3300 feet) beyond the facility boundaries;

b) All surface waters;

c) All potable water supply wells within 1000 meters (3300 feet) of the facility boundaries;

d) All potable water supply well setback zones established pursuant to Section 14.2 or 14.3 of the Act;

e) Any wellhead protection areas pursuant to Section 1428 of the Safe Drinking Water ~~Drinking~~ Act (SDWA) (42 USC 300f) and any sole source aquifer designated by the United States Environmental Protection Agency pursuant to Section 1424(e) of SDWA; and

f) All main service corridors, transportation routes, and access roads to the site and facility.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.306 Narrative Description of the Facility

The permit application must contain a written description of the facility with supporting documentation describing the procedures and plans that will be used at the facility to comply

with the requirements of this Part. Such descriptions must include, but are not limited to, the following information:

a) A description of the CCDD and the uncontaminated soil being used as fill and a load checking plan describing how the owner or operator will comply with Section 1100.205~~ of this Part~~;

b) The types of CCDD and uncontaminated soil expected in each unit, an estimate of the maximum capacity of each unit, and the rate at which fill~~CCDD~~ is to be placed in each unit;

c) The estimated density of the CCDD and the uncontaminated soil;

d) The length of time each unit will receive CCDD and uncontaminated soil;

e) A description of all equipment to be used at the facility for complying with the facility permit, the Act, and Board regulations;

f) A description of any salvaging to be conducted at the facility, including, but not limited to, a description of all salvage facilities and a description of how the owner or operator will comply with Section 1100.206 of this Part;

g) A description of how the owner or operator will comply with the requirements of Section 1100.207~~ of this Part~~;

h) A description of how the owner or operator will comply with Sections 1100.204(c) and (e)~~ of this Part~~;

i) A description of the methods to be used for controlling dust in compliance with Section 1100.204(f)~~ of this Part~~;

j) A description of how the owner or operator will control noise in compliance with Section 1100.204(g)~~ of this Part~~; and

k) A description of all existing and planned roads in the facility that will be used during the operation of the facility, the size and type of such roads, and the frequency with which they will be used.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.307 Proof of Property Ownership and Certifications

The permit application must contain a certificate of ownership of the facility property and certifications regarding the provisions of Sections 39(i) and 39(i-5) of the Act. The owner and operator provide written notification to the Agency~~must certify that the Agency will be notified~~ within 7 days after any changes in ownership.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 1100.309 Closure Plan

The permit application must contain a written closure plan that contains, at a minimum, the following:

a) Maps showing the configuration of the facility after closure of all units, including, but not limited to, appropriate contours as needed to show the proposed final topography after placement of the final cover for all filled areas. All maps must have a scale no smaller than one inch equals 200 feet;

b) Steps necessary for the temporary suspension of the fill operation~~CCDD filling~~ in accordance with Section~~Sections~~ 1100.208(a)(1)(B) or (a)(2)~~ of this Part~~;

c) Steps necessary for closure of the facility at the end of its intended operating life;

d) An estimate of the expected year of closure;

e) Schedules for temporary suspension of the fill operation~~CCDD filling~~ and closure, which must include, at a minimum, the total time required to close the facility and the time required for closure activities that will allow tracking of the progress of closure;

f) A description of how the applicant will comply with Section 1100.208~~ of this Part~~; and

g) A description of the final cover, including, but not limited to, the material to be used as the final cover, application and spreading techniques, the types of vegetation to be planted, and the types of roads or structures to be built pursuant to Section 1100.208~~ of this Part~~.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART D: PROCEDURAL REQUIREMENTS
FOR PERMITTING CCDD FILL OPERATIONS

Section 1100.412 Procedures for Closure and Postclosure Maintenance

a) Notification of Closure~~Receipt of Final Volume~~
The owner or operator must provide written notification of closure to the Agency within 30 days after the date the owner or operator is deemed to have completed filling under Section 1100.208(a).~~Within 30 days after the date the final volume of CCDD is received, the owner or operator must notify the Agency in writing of the receipt of the final volume of CCDD.~~

b) Certification of Closure

1) When the closure of the facility is complete, the owner or operator must submit to the Agency:

A) Documentation concerning closure of the facility, including, but not limited to, plans or diagrams of the facility as closed and the date closure was completed.

B) An affidavit by the owner or operator and the seal of a PE or PG~~professional engineer~~ that the facility has been closed in accordance with the closure plan and the closure requirements of this Part.

2) When the Agency determines, pursuant to the information received pursuant to subsection (b)(1) of this Section and any Agency site inspection, that the facility has been closed in accordance with the specifications of the closure plan and the closure requirements of this Part, the Agency must:

A) Issue a certificate of closure; and

B) Specify the date the postclosure maintenance period begins, based on the date closure was completed.

c) Termination of the Permit

1) At the end of the postclosure maintenance period, the owner or operator may submit to the Agency an application for termination of the permit. The application must be submitted in a format prescribed by the Agency and must include, at a minimum, the certification of a PE or PG~~professional engineer~~ and the affidavit of the owner or operator demonstrating that, due to compliance with the postclosure maintenance plan and the postclosure maintenance requirements of this Part, postclosure maintenance is no longer necessary because:

A) Vegetation has been established on all nonpaved areas;

B) The surface has stabilized sufficiently with respect to settling and erosion so that further stabilization measures, pursuant to the postclosure maintenance plan, are no longer necessary; and

C) The owner or operator has completed all requirements of the postclosure maintenance plan.

2) Within 90 days after receiving the certification required by subsection (c)(1)~~ of this Section~~, the Agency must notify the owner or operator in writing that the permit is terminated, unless the Agency determines, pursuant to the information received pursuant to subsection (c)(1)~~ of this Section~~ and any Agency site inspection, that continued postclosure maintenance is required pursuant to the postclosure maintenance plan and this Part.

3) For purposes of appeal pursuant to Section 40(d) of the Act and the appeal provisions of this Part, Agency action pursuant to subsection (c)(2) of this Section is deemed a denial or grant of permit with conditions.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

SUBPART E: UNCONTAMINATED SOIL FILL OPERATIONS

Section 1100.500 Prohibitions

a) No person shall conduct any uncontaminated soil fill operation in violation of the Act or any regulations or standards adopted by the Board.

b) *No person shall use soil other than uncontaminated soil as fill material at an uncontaminated soil fill operation.* [415 ILCS 5/22.51a(b)]

c) Uncontaminated soil fill operations must not accept waste for use as fill.

d) Uncontaminated soil fill operations must not accept CCDD for use as fill.

e) Uncontaminated soil fill operations must not be located inside a setback zone of a potable water supply well.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.505 Operating Standards

Uncontaminated soil fill operations are subject to all of the standards and requirements of Sections 1100.202 through 1100.211 of Subpart B, excluding Sections 1100.203 and 1100.210.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.510 Recordkeeping Requirements

The owner or operator must maintain an operating record at the facility or in some alternative location approved by the Agency. The owner or operator must make the operating record available for inspection and copying by the Agency upon request during normal business hours. Information maintained in the operating record must include, but is not limited to, the following:

a) Any information submitted to the Agency pursuant to this Part.

b) Written procedures for load checking, load rejection notifications, and training required under Section 1100.205.

c) A site location map as described under Section 1100.304.

d) A facility plan map as described under Section 1100.305.

e) A narrative description of the facility as described under Section 1100.306.

f) Proof of property ownership. The owner and operator must notify the Agency within 7 days after any changes in ownership.

g) A surface water control plan as described under Section 1100.308.

h) A closure plan and postclosure maintenance plan as described under Sections 1100.309 and 1100.310.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.515 Registration

a) Owners and operators of uncontaminated soil fill operations must register the fill operation with the Agency.

1) Uncontaminated soil fill operations must be registered with the Agency within 60 days after the effective date of this Section. Uncontaminated soil fill operations already registered with the Agency pursuant to Section 22.51a(c) of the Act must be re-registered in accordance with this subsection (a)(1).

2) Uncontaminated soil fill operations that first receive uncontaminated soil on or after the effective date of this Section must be registered with the Agency prior to the receipt of any uncontaminated soil.

b) Registrations must be submitted on forms and in a format prescribed by the Agency and must include information set forth at Sections 1100.304 through 1100.310, excluding the certifications required under Section 1100.307.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.520 Required Signatures

a) All registrations must contain the name, address, and telephone number of the owner and operator and any duly authorized agents of the owner or operator to whom inquiries and correspondence should be addressed.

b) All registration applications must be signed by the owner and operator or by their duly authorized agents with an accompanying oath or affidavit attesting to the agent's authority to sign the application on behalf of the owner or operator. The following persons are considered duly authorized agents of the owner and operator:

1) For corporations, a principal executive officer of at least the level of vice president;

2) For a sole proprietorship, the sole proprietor;

3) For a partnership, a general partner;

4) For a municipality, State, federal or other public agency, by the head of the agency or a ranking elected official; and

5) For a member-managed limited liability company, by a member and for a manager-managed limited liability company, by a manager or member.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.525 Procedures for Closure

a) Notification of Closure
The owner or operator must provide written notification to the Agency within 30 days after the owner or operator begins closure in accordance with the closure plan required by Section 1100.510(h) and the closure requirements of Section 1100.208.

b) Certification of Closure
When the closure of the facility is complete, the owner or operator must submit to the Agency:

1) Documentation concerning closure of the facility, including, but not limited to, plans or diagrams of the facility as closed and the date closure was completed.

2) An affidavit by the owner or operator and the seal of a PE or PG that the facility has been closed in accordance with the closure plan required by Section 1100.510(h) and the closure requirements of Section 1100.208.

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.530 Termination of Postclosure Maintenance

At the end of the postclosure maintenance period, the owner or operator must submit a certification by a PE or PG and an affidavit by the owner or operator demonstrating that, due to compliance with the postclosure maintenance plan and the postclosure maintenance requirements of this Part, postclosure maintenance is no longer necessary because:

a) Vegetation has been established on all nonpaved areas;

b) The surface has stabilized sufficiently with respect to settling and erosion so that further stabilization measures required by the postclosure maintenance plan are no longer necessary; and

c) The owner or operator has completed all requirements of the postclosure maintenance plan.

(Source: Added at 36 Ill. Reg. _____, effective _____)

SUBPART F: STANDARDS FOR UNCONTAMINATED SOIL USED AS FILL MATERIAL AT FILL OPERATIONS REGULATED BY THIS PART

Section 1100.600 Purpose and Applicability

a) The purpose of this Subpart F is to establish standards for soils that are considered uncontaminated for purposes of this Part.

b) This Subpart F applies only to soil that is:

1) Generated during construction, remodeling, repair or demolition of utilities, structures and roads as provided in Section 3.160 of the Act; and

2) Used as fill material at Clean Construction or Demolition Debris Fill Operations or Uncontaminated Soil Fill Operations as provided at Sections 22.51 and 22.51a of the Act and in this Part.

c) Soil that is generated during construction, remodeling, repair or demolition of utilities, structures and roads and commingled with CCDD must satisfy the standards for maximum allowable concentrations of chemical constituents in uncontaminated soil as set forth in this Subpart F if used as fill material at CCDD Fill Operations pursuant to Section 22.51 of the Act.

d) Soil or materials to which this Subpart F does not apply include, but are not limited to:

1) Soil that must be managed as hazardous waste;

2) Soil that has at any time been treated or diluted to reduce contaminant concentrations or contaminant mobility (e.g., treatment to reduce extraction test contaminant concentrations) except for soil that has been treated to reduce contaminants by physical separation from construction or demolition debris at the site where the soil was generated or at a site authorized by applicable law to perform such separation; and

3) Soil that has been *removed from a site as part of cleanup or removal of contaminants, including, but not limited to, activities conducted under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; as part of a closure of corrective action under the Resource Conservation and Recovery Act, as amended; or under an Agency remediation program, such as the leaking Underground Storage Tank Program or Site Remediation Program, but excluding sites subject to Section 58.16 of* the *Act where there is no presence or likely presence of a release or a substantial threat of a release of a regulated substance at, on or from the real property* and excluding soil that is uncontaminated and has not been excavated or treated as part of the cleanup or removal of contaminants. [415 ILCS 5/22.51(f)(2)(C) and 22.51a(d)(2)(C)]

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.605 Maximum Allowable Concentrations for Chemical Constituents in Uncontaminated Soils

a) Except as provided for background concentrations in subsection (b), the maximum allowable concentrations for chemical constituents in uncontaminated soil must be determined pursuant to this subsection (a).

1) The maximum allowable concentration for a chemical constituent in uncontaminated soil will be the lowest Tier 1 chemical-specific soil value of the exposure routes for residential and construction worker receptors set forth in 35 Ill. Adm. Code 742.Appendix B, Tables A and B (e.g., soil ingestion exposure route, outdoor inhalation exposure route, soil component of the groundwater ingestion exposure route, construction worker exposure route). Class I values must be used when determining the lowest Tier 1 chemical-specific value for the soil component of the groundwater ingestion exposure route. Before making the comparison among exposure routes to determine the lowest value for ionizing organic chemical constituents and inorganic chemical constituents, the requirements of subsections (a)(2) and (a)(3) must be satisfied, as applicable.

2) For ionizing organic constituents, the lowest pH-dependent value for the soil component of the Class I groundwater ingestion exposure route in 35 Ill. Adm. Code 742.Appendix B, Table C must be substituted for the pH-neutral value provided for the soil component of the Class I groundwater ingestion exposure route in 35 Ill. Adm. Code Appendix B, Table A before determining the lowest Tier 1 chemical-specific soil value pursuant to subsection (a)(1) of this Section.

3) For inorganic constituents, the remediation objectives for the soil component of the Class I groundwater ingestion exposure route in Appendix B, Tables A and B are based on the contaminant concentration resulting from an extraction test and are not directly comparable to the remediation objectives provided for the ingestion and inhalation exposure routes, which are based on total concentrations. The following values, based on total concentrations, must be substituted for the extraction test values in Table A before determining the lowest Tier 1 chemical-specific soil value pursuant to subsection (a)(1) of this Section:

A) The lowest chemical-specific, pH-dependent values in 35 Ill. Adm. Code 742.Appendix B, Table C; or

B) For inorganic constituents that are listed in 35 Ill. Adm. Code 742.Appendix B, Table A but not in Appendix B, Table C, the extraction test values for the soil component of the groundwater ingestion exposure route in Appendix B, Table A may be multiplied by 20 (i.e., 20 liters/kilogram, the liquid to solid ratio in the extraction test assuming complete constituent leaching) to enable direct comparison with the ingestion and inhalation exposure route values. The resulting value must be substituted for the extraction test value before determining the lowest Tier 1 chemical-specific soil value pursuant to subsection (a)(1) of this Section.

4) If the lowest Tier 1 soil value for a chemical is less than the Acceptable Detection Limit (ADL), the ADL will serve as the lowest soil value.

5) The total concentration of organic contaminants may not exceed the attenuation capacity of the soil as determined in accordance with 35 Ill. Adm. Code 742.215(b)(1) and (b)(1)(A) using a default value of 2000 mg/kg for the natural organic carbon fraction (f_{oc}).

b) Background concentrations from 35 Ill. Adm. Code 742.Appendix A, Tables G and H may be used as the maximum allowable concentrations at locations specified by the tables if the most stringent exposure route value for the chemical constituent, as determined pursuant to subsection (a) of this Section, is lower than the chemical's applicable background value listed in Table G or H. The chemical's applicable background value in Table G or H must be established based on the location of the fill operation where the soil is placed.

c) For chemicals not listed in 35 Ill. Adm. Code 742.Appendix B, Table A, B or C, the values may be obtained from the Agency by making a request for chemical-specific values.

1) The Agency will develop these objectives based upon USEPA's toxicity value hierarchy as specified in OSWER Directive 9285.7-53, incorporated by reference in Section 1100.104. USEPA's Integrated Risk Management System (IRIS), incorporated by reference at Section 1100.104, is the first tier of this hierarchy.

2) Calculation of the maximum allowable concentrations must use the applicable risk-based soil screening level equations from 35 Ill. Adm. Code 742.Appendix C, Table A. Default exposure durations and contact rates from 35 Ill. Adm. Code 742.Appendix C, Table B must be used in making these calculations.

3) If the person making the request of the Agency disagrees with the Agency's decision, the person who made the request may file an appeal of the Agency's decision with the Board pursuant to Section 40(a) of the Act and 35 Ill. Adm. Code 105.

d) Other provisions of 35 Ill. Adm. Code 742 (e.g., institutional controls, engineered barriers, exposure route exclusions, site-specific evaluations, local area background calculations) may not be used to exclude or otherwise alter exposure routes or exposure route values for the purpose of determining the maximum allowable concentrations under this Part.

e) For purposes of this Part, the Agency shall publish at its website a list of chemical-specific values for maximum allowable concentrations of chemical constituents in uncontaminated soils based on the methodology for determining those values set forth in this Section. In addition, the Agency shall publish at its website a list of chemical-specific values for chemicals not listed in 35 Ill. Adm. Code 742.Appendix B, Tables A, B or C when values are calculated by the Agency in accordance with subsection (c) of this Section or of 35 Ill. Adm. Code 742.510(c).

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.610 Compliance Evaluation; Performance and Documentation of Soil Sampling and Chemical Analysis

a) For purposes of this Subpart F, the chemical constituents to be evaluated, if any, and the soil sample points must be determined on a site-specific basis by the PE or PG.

b) If soil sampling and analysis are used to evaluate compliance with the maximum allowable concentrations for chemical constituents in uncontaminated soils, compliance generally must be determined by comparing total soil concentrations from the laboratory reports with the maximum allowable concentrations as

determined pursuant to Section 1100.605. The following procedures will be required, as applicable, when making the comparisons:

1) If the background value from 35 Ill. Adm. Code 742.Appendix A, Table G or H was determined to be the maximum allowable concentration in accordance with Section 1100.605 for an inorganic constituent or a polynuclear aromatic hydrocarbon constituent, compliance must be determined as follows:

A) The applicable background value from Table G or H may be compared directly with the total soil concentration from the laboratory report; or

B) If, as determined pursuant to Section1100.605 (a) and (b), the applicable background value for an inorganic chemical constituent from Table G has been selected as the maximum allowable concentration in place of a more stringent value for the Class I soil component of the groundwater ingestion exposure route in 35 Ill. Adm. Code 742.Appendix B, Table A, concentration in the extract from the Toxicity Characteristic Leaching Procedure (TCLP) or Synthetic Precipitation Leaching Procedure (SPLP) analytical extraction test in accordance with Methods 1311 and 1312, respectively, in SW-846, incorporated by reference at Section 1100.104, may be compared with the chemical's Class I soil component of the groundwater ingestion exposure route value in 35 Ill. Adm. Code 742.Appendix B, Table A.

2) For ionizing organic constituents, if, as determined pursuant to Section 1100.605, the lowest Tier 1 chemical-specific soil value is for the soil component of the Class I groundwater ingestion exposure route, the total soil concentration from the laboratory report must be compared with the lowest corresponding pH-dependent value in 35 Ill. Adm. Code 742.Appendix B, Table C.

3) For inorganic constituents and, except as provided in subsection (b)(1)(B) of this Section, if, as determined pursuant to Section 1100.605, the lowest Tier 1 chemical-specific soil value is for the soil component of the Class I groundwater ingestion exposure route, compliance must be evaluated by

comparing the total soil concentration from the laboratory report using the following methods:

A) Total soil concentrations from the laboratory report must be compared with the lowest chemical-specific, pH-dependent value for the soil component of the Class I groundwater ingestion exposure route in 35 Ill. Adm. Code 742.Appendix B, Table C; or

B) For inorganic chemical constituents that are listed in Appendix B, Table A but not in Appendix B, Table C, the total soil concentrations from the laboratory report must be compared with the product of the extraction test values for the soil component of the Class I groundwater ingestion exposure route in Appendix B, Table A multiplied by 20 to convert to total soil concentration values; or

C) As an alternative to subsections (b)(3)(A) and (b)(3)(B) of this Section, concentrations in the extract from TCLP or SPLP analytical extraction test in accordance with Methods 1311 and 1312, respectively, in SW-846 may be compared with the chemical's Class I soil component of the groundwater ingestion exposure route value in 35 Ill. Adm. Code 742.Appendix B, Table A.

c) *Chemical analysis* of soil samples *conducted under this* Subpart F *must be conducted in accordance with the requirements of 35 Ill. Adm. Code 742 and "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", USEPA Publication No. SW-846*, incorporated by reference in Section 1100.104 [415 ILCS 5/22.51(f)(3) and 22.51a(d)(3)]. If SW-846 methods do not support detection at the concentration specified for a particular chemical constituent (e.g., aldicarb, carbofuran, endothall), the laboratory may use modified or alternative methods available to the laboratory to achieve the lowest practical detection level possible. If concentrations of these constituents in soil are demonstrated to be equal to or lower than the applicable maximum allowable concentrations using modified or alternative methods pursuant to this subsection (c), the soil may be certified as complying with the maximum allowable concentrations.

d) Samples must not be composited for analysis, and analytical results from samples must not be averaged.

e) All quantitative analyses of samples must be completed by an accredited laboratory in accordance with the requirements of 35 Ill. Adm. Code 186 and the scope of the accreditation. *Documentation of any chemical analysis must include, but is not limited to:*

1) Chain of custody control;

2) *A copy of the lab analysis;*

3) *Accreditation status of the laboratory performing the analysis; and*

4) *Certification by an authorized agent of the laboratory that the analysis has been performed in accordance with the Agency's rules for the accreditation of environmental laboratories and the scope of the accreditation.* [415 ILCS 5/22.51(f)(2)(D)]

(Source: Added at 36 Ill. Reg. _____, effective _____)

Section 1100.615 Waste and Materials Other Than Chemical Constituents in Soils

For purposes of this Part:

a) Uncontaminated soil may include incidental amounts of stone, rock, gravel, roots, and other vegetation.

b) Except as provided in subsection (a), soil containing waste or other materials or exceeding the standards for chemical constituents in uncontaminated soil is not uncontaminated soil and must be managed in accordance with applicable provisions of the Act and implementing rules.

1) Soil satisfying the standards for chemical constituents in uncontaminated soil but that is commingled with general construction or demolition debris is general construction or demolition debris and must be managed as such in accordance with applicable provisions of the Act and implementing rules. (See 415 ILCS 5/3.160(a).)

2) Soil satisfying the standards for chemical constituents in uncontaminated soil but that is commingled with clean construction or demolition debris is

clean construction or demolition debris and must be managed as such in accordance with applicable provisions of the Act and implementing rules. (See 415 ILCS 5/3.160(b).)

(Source: Added at 36 Ill. Reg. _____, effective _____)

BOARD OF HIGHER EDUCATION

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Approval of Noninstructional Capital Projects

2) Code Citation: 23 Ill. Adm. Code 1040

3) Section Number: 1040.20 — Adopted Action: Amendment

4) Statutory Authority: Implementing Sections 8 and 9.11 and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/8, 9.05 and 9.11]

5) Effective Date of Amendment: February 10, 2012

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? The rulemaking does not include incorporations by reference pursuant to Section 5-75 of the Illinois Administrative Procedure Act.

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the Board of Higher Education's office and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: October 28, 2011; 35 Ill. Reg. 17173.

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.

13) Will this rulemaking replace any emergency rulemaking currently in effect? No

14) Are there any other amendments pending on this Part? No

BOARD OF HIGHER EDUCATION

NOTICE OF ADOPTED AMENDMENT

15) Summary and Purpose of Amendments: Pursuant to Public Act 97-610, a public university is required to submit a plan for capital improvements of noninstructional facilities to the Board of Higher Education for approval before final commitments are made only if the total cost of the project as approved by the institution's board of control is in excess of $2.0 million

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

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield, Illinois 62701-1404

Telephone: 217/557-7358
E-Mail: helland@ibhe.org
Fax No. 217/782-8548

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

BOARD OF HIGHER EDUCATION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1040
APPROVAL OF NONINSTRUCTIONAL CAPITAL PROJECTS

Section
1040.10 Purpose
1040.20 Definition of Terms
1040.21 Notice of Intent
1040.22 Required Documentation
1040.25 Criteria for Approval
1040.27 Submission Process
1040.30 Noninstructional Capital Improvements and Community College Locally-Funded Capital Projects (Repealed)

AUTHORITY: Implementing Sections 8 and 9.11 and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/8, 9.05 and 9.11].

SOURCE: Amended and effective April 15, 1976; rules repealed and new rules adopted and codified at 8 Ill. Reg. 16899, effective September 4, 1984; amended at 30 Ill. Reg. 19510, effective December 5, 2006; amended at 33 Ill. Reg. 17322, effective December 8, 2009; amended at 36 Ill. Reg. 2847, effective February 10, 2012.

Section 1040.20 Definition of Terms

"Board" means the Board of Higher Education.

"Buildings, additions and/or structures" means those facilities with roofs and/or walls that have foundations.

"Capital budget categories" means the main categories of proposed capital projects for which approval is requested. The categories include: buildings, additions and/or structures; land; equipment; utilities; remodeling and rehabilitation; site improvements; and planning.

"Equipment" means expenditures for the acquisition, replacement, or increase of visible tangible personal property of a nonconsumable nature, with a unit value of

$51 or more, that is not included in the category of buildings, additions, and/or structures or remodeling and rehabilitation.

"Governing Board" or "board of control" means the Board of Trustees of a State supported institution.

"Land" means expenditures for real property and expenditures for the acquisition of real property, including easements of record and expenses directly and necessarily related to the purchase or acquisition. "Land" shall include existing buildings and/or structures.

"Noninstructional capital project" means the construction, remodeling, renovation, purchase, or modification of facilities or properties used in whole or part for purposes other than classroom education *if the total cost of the project as approved by the institution's board of control is in excess of $2 million* [110 ILCS 205/8]. Repair and maintenance projects, defined by the Illinois State Comptroller as ordinary and necessary projects needed to keep an asset serviceable through its expected life, are excluded.

"Planning" means the architectural and engineering design required for the planning of buildings, additions and/or structures or specific major remodeling projects.

"Program statement" means a statement setting forth the broad parameters within which architects and planners must work and describing in detail the space requirements, activities, functions, relationships and space needs to be incorporated into a new or remodeled facility.

"State supported institutions" means the public universities of the State of Illinois: University of Illinois; Southern Illinois University; Chicago State University; Eastern Illinois University; Governors State University; Illinois State University; Northeastern Illinois University; Northern Illinois University; and Western Illinois University.

"Remodeling and rehabilitation" means capital improvements that have the primary objective of restoring or upgrading a structure or facility to its original operating condition or improving the existing functional capability or capacity of the structure or facility.

"Scope" means the parameters of the project, including square footage, quantification of work and programmatic use.

"Scope statement" means a narrative statement containing background and justification for a project; quantification of work items and cost breakdowns; identification of dependent relationships between the proposed project and any other; and desired completion date of the project.

"Site improvements" means modification to real estate for earth movement and clearance, drainage, streets and walkways, parking, finish grading, seeding and landscaping, and all other improvements to real estate not included in other categories.

"Total projects costs" means all costs related to the capital budget categories and the designation of source of funds for those costs.

"Utilities" means systems for distributing or disbursing utility services outside the five-foot boundary line of existing or proposed buildings, additions and/or structures.

(Source: Amended at 36 Ill. Reg. 2847, effective February 10, 2012)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Regulations under Illinois Securities Law of 1953

2) Code Citation: 14 Ill. Adm. Code 130

3)

Section Numbers:	Adopted Action:
130.200	Amended
130.210	Amended
130.270	Amended
130.280	Amended
130.420	Amended
130.436	Amended
130.502	Amended
130.510	Amended
130.525	Amended
130.530	Amended
130.630	Amended
130.730	Amended
130.810	Amended
130.820	Amended
130.821	Amended
130.822	Amended
130.823	Amended
130.826	Amended
130.827	Amended
130.829	Amended
130.832	Amended
130.838	Amended
130.839	Amended
130.840	Amended
130.841	Amended
130.842	Amended
130.843	Amended
130.846	Amended
130.852	Amended

4) Statutory Authority: 815 ILCS 5/1

5) Effective Date of Amendments: February 8, 2012

NOTICE OF ADOPTED AMENDMENTS

6) Do the Amendments contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of these amendments, including any material incorporated by reference, is on file at the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: 35 Ill. Reg. 15979; October 7, 2011.

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between proposal and final version: In Section 130.852 (b) of the text, changed "May 31, 2011" to "September 19, 2011".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements 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 Amendments: Section 130.200 changes the name of the self-regulatory agency from NASD to FINRA throughout the definitions.

All subsequent amended sections reflect the NASD to FINRA change as well as update outdated cites for referenced material. Sections 130.525 through 130.730 and 130.839 update a referenced form from U-4 to U4, and U-5 to U5. Sections 130.822 and 130.832 add language to clarify which examinations meet registration requirements.

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

Tanya Solov, Director
Illinois Securties Department
69 W.Washington St., Suite 1220
Chicago, IL 60602

312/793-3384

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

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATE

PART 130
REGULATIONS UNDER ILLINOIS SECURITIES LAW OF 1953

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Section
130.100 Business Hours of the Securities Department
130.101 Computation of Time
130.110 Payment of Fees
130.120 Place of Filing
130.130 Date of Filing
130.135 Registration of Securities under Section 5 or 7 of the Act Utilizing the SRD
130.140 Requirements as to Proper Form
130.141 Additional Information
130.142 Additional Exhibits (Repealed)
130.143 Information Unknown or Not Reasonably Available
130.144 Requirements as to Paper, Printing, and Language
130.145 Number of Copies – Signatures
130.190 Provisions for Granting of Variance from Rules

SUBPART B: DEFINITIONS

Section
130.200 Definitions of Terms Used in the Act and the Rules
130.201 Definition of the Term "Investment Contract", as Used in Section 2.1 of the Act
130.202 Definition of the Term "Fractional Undivided Interest", as Used in Section 2.1 of the Act with Reference to Oil and/or Gas Leases, Rights or Royalties
130.205 Definition of the Term "Issuer" as Used in Section 2.2 of the Act as Applied to Fractional Interests in Oil, Gas and Other Mineral Leases, Rights or Royalties
130.210 Definition of Acts Not Constituting a "Sale" or "Offer" as Used in Section 2.5 or 2.5a of the Act
130.211 Definition of Acts Not Constituting an "Offer" of Securities under Section 5, 6, 7 or 8 of the Act
130.212 Definition of Acts Not Constituting an "Offer" Under Section 2.5a of the Act (Testing the Waters)

NOTICE OF ADOPTED AMENDMENTS

130.215	Definition of "Commission From an Underwriter or Dealer Not in Excess of the Usual and Customary Distributors' or Sellers' Commissions", as Used in Section 2.6 of the Act for Certain Transactions
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130.220	Definition of "Regularly Engaged in Securities Sales Activities", as Used in Section 2.9 of the Act
130.221	Exclusion of Certain Persons from the Definition of Investment Adviser in Section 2.11 of the Act
130.225	Definition of "Investment Fund Shares", as Used in Section 2.15 of the Act in Relation to Certain Issuers
130.233	Definition of the Phrase "Promissory Note or Draft, Bill of Exchange or Bankers' Acceptance" as Used in Section 3(L) of the Act
130.234	Definition, For Certain Purposes, of the Terms "Employee Security-Purchase Plan", "Employee Profit-Sharing Trust or Plan", "Employee Pension Trust or Plan", as Used in Section 3.N and Section 3.O of the Act (Repealed)
130.235	Definition, For Certain Purposes, of the Terms "Employee Profit-Sharing Trust or Plan", "Employee Pension Trust or Plan", as Used in Section 3.O of the Act (Repealed)
130.241	Definition of the Term "Institutional Investor" under Sections 4C and 4D of the Act
130.242	Definition of the Term "Financial Institution" under Section 4.C of the Act
130.244	Definition of "Issuer Required to File Reports Pursuant to the Provisions of Section 13 or Section 15(d) of the Federal 1934 Act" with Respect to Certain Foreign Private Issuers and "Reports Required to be Filed at Regular Intervals Pursuant to the Provisions of Section 13 or Section 15(d)" as Used in Section 4(F)(1) of the Act
130.245	Definition of the Terms "Balance Sheet" and "Income Statement", as Used in Section 4.F of the Act
130.246	Definition of the Terms "Residents of this State", "Aggregate Sales Price" and "Sales Made in Reliance Upon the Exemption" Under Section 4.G of the Act and "General Advertising or General Solicitation" Under Sections 4.G, 4.H, 4.M and 4.R of the Act
130.247	Definition of the Term "Public" as Used in Section 4(G)(4) of the Act
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130.250	Definition, For Certain Purposes, of the Terms "Commissions, Remuneration or Discounts", as Used in Section 4 and Section 5 of the Act
130.251	Definition of the Term "Maximum Aggregate Price", as Used in Section 5 of the

Act
130.270 Definition of Certain Persons Not Considered to Be Dealers Under Section 2.7 of the Act
130.280 Definition of the Term "Branch Office" of a Registered Dealer, as Used in Section 8 of the Act
130.281 Definition of the Term "Branch Office" of a Registered Investment Adviser, as Used in Section 8 of the Act
130.282 Definition, For Certain Purposes, of the Term "Officers", as Used in Section 2.9 and Section 8.B.(6) of the Act
130.285 Definition, for Certain Purposes, of the Terms "Inequitable", "Tend to Work a Fraud or Deceit", "Inequitable Practice in the Sale of Securities", and "Fraudulent Business Practices", as Used in Section 8 and Section 11 of the Act
130.291 Definition of the Terms "Fraudulent" and "Work or Tend to Work a Fraud or Deceit" as Used in Sections 11.E and 12.F of the Act for Purposes of the Payment of Completion Costs in Connection with the Offer or Sale of Securities involving an Oil, Gas or Other Mineral Lease, Right or Royalty

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SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

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130.510 Procedures for Registration of Securities by Coordination under Section 5.A of the Act
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130.530 Renewal of Registration of Securities Under Section 5.E of the Act
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130.715 Amendatory Statement for the Registration of Additional Class or Classes or the Reporting of a Change in Organization or Operations Pursuant to Section 7(D) of the Act
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	Act
130.806	Acts Not Requiring a Notification Filing of a Federal Covered Investment Adviser or Registration as an Investment Adviser or Investment Adviser Representative Under Section 8 of the Act
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130.846 Written Disclosure Statements of a Registered Investment Adviser
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130.852 Compensation
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130.1112 Rules of Evidence
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SUBPART P: SAVINGS PROVISIONS

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130.APPENDIX B Uniform Application to Register Securities
130.APPENDIX C Uniform Application for Broker-Dealer Registration
130.APPENDIX D Subordinated Loan Agreement for Equity Capital

AUTHORITY: Implementing and authorized by the Illinois Securities Law of 1953 [815 ILCS 5].

SOURCE: Filed February 23, 1977, effective March 5, 1977; amended at 5 Ill. Reg. 9139, effective August 27, 1981; amended at 6 Ill. Reg. 6455, effective May 19, 1982; codified at 6 Ill. Reg. 12674; emergency amendment at 7 Ill. Reg. 17427, effective December 31, 1983, for a maximum of 150 days; emergency expired May 31, 1984; emergency amendment at 8 Ill. Reg. 1476, effective January 18, 1984, for a maximum of 150 days; emergency expired June 17, 1984; emergency repealer at 8 Ill. Reg. 3803, effective March 14, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13419, effective July 12, 1984; amended at 8 Ill. Reg. 13840, effective July 19, 1984; emergency amendment at 8 Ill. Reg. 13889, effective July 20, 1984, for a maximum of 150 days; emergency expired December 17, 1984; amended at 9 Ill. Reg. 208, effective December 20, 1984; emergency amendment at 10 Ill. Reg. 393, effective January 1, 1986, for a maximum of 150 days; emergency expired May 30, 1986; amended at 10 Ill. Reg. 10753, effective June 3, 1986; recodified at 10 Ill. Reg. 19554; emergency amendment at 13 Ill. Reg. 11017, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 14 Ill. Reg. 884, effective December 30, 1989; amended at 14 Ill. Reg. 5188, effective March 26, 1990; emergency amendment at 15 Ill. Reg. 14303, effective November 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 6000, effective March 27, 1992; amended at 20 Ill. Reg. 14185, effective October 21, 1996; amended at 21 Ill. Reg. 7523, effective May 23, 1997; amended at 21 Ill. Reg. 7770, effective May 23, 1997; amended at 21 Ill. Reg. 8415, effective June 20, 1997; emergency amendment at 21 Ill. Reg. 9828, effective July 8, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 15892, effective December 1, 1997; amended at 22 Ill. Reg. 1933, effective January 1, 1998; emergency amendment at 24 Ill. Reg. 341, effective December 31, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. 7401, effective May 1, 2000; emergency amendment at 25 Ill. Reg. 973, effective January 1, 2001, for a maximum of 150 days; emergency expired May 30, 2001; amended at 25 Ill. Reg. 8817, effective July 6, 2001; amended at 26 Ill. Reg. 14843, effective September 30, 2002; amended at 27 Ill. Reg. 9490, effective June 9, 2003; emergency amendment at 29 Ill. Reg. 15087, effective September 23, 2005, for a maximum of 150 days; emergency expired February 19, 2006; emergency amendment at 30 Ill. Reg. 13009, effective July 11, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18211, effective October 31, 2006; amended at 33 Ill. Reg. 12817, effective September 8, 2009; amended at 34 Ill. Reg. 17783, effective November 3, 2010;

emergency amendment at 35 Ill. Reg. 4781, effective March 10, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 12810, effective July 14, 2011; amended at 36 Ill. Reg. 2852, effective February 8, 2012.

SUBPART B: DEFINITIONS

Section 130.200 Definitions of Terms Used in the Act and the Rules

a) As used in the Act and this Part, unless the context otherwise requires, the term:

"Act" means the Illinois Securities Law of 1953 [815 ILCS 5].

"Affiliate" of, or a person "affiliated" with, a specified person means a person who, directly or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

"Amount", when used in regard to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

"Applicant" means the person making application for registration or exemption.

"Certified", when used in regard to financial statements, means examined and reported upon with an opinion expressed by an independent certified public accountant.

"CFTC" means the Federal Commodity Futures Trading Commission.

"Charter" includes articles of incorporation, a declaration of trust, articles of association or partnership, or any similar instrument, as amended, affecting (either with or without filing with any governmental agency) the organization or creation of an incorporated or unincorporated person.

"Correspondent" means the person authorized in the application for registration or exemption to receive notices and communications from the Secretary.

"Controlling Person" as used in Section 4.F of the Act shall not include any sponsor of a unit investment trust after the completion of the initial distribution.

"CRD" means the computer registration system for the registration of dealers and salespersons known as the "Central Registration Depository" operated by FINRA~~the NASD~~.

"Customer", as used in Section 130.270~~ of this Part~~, means any person for whom the futures commission merchant effects or intends to effect transactions in futures, options on futures, or any other instruments subject to CFTC jurisdiction.

"Director" means any director of a corporation or any person performing similar functions with respect to any organization whether incorporated or unincorporated.

"Employee" does not include a director, trustee, or officer.

"Federal 1933 Act" means the Act of the Congress of the United States known as the Securities Act of 1933 (15 USC 77a-77aa).

"Federal 1934 Act" means the Act of Congress of the United States known as the "Securities Exchange Act of 1934" (15 USC 78a-78aa).

"Federal 1936 Act" means the Act of Congress of the United States known as the Commodity Exchange Act of 1936 (7 USC 1 et seq.).

"Federal 1940 Investment Company Act" means the Act of Congress of the United States known as the Investment Company Act of 1940 (15 USC 80a-1 through 80a-52).

"Federal 1940 Investment Advisers Act" means the Act of Congress of the United States known as the Investment Advisers Act of 1940 (15 USC 80b-1 through 80b-21).

"Federal Banking Act of 1933" means 12 USC 227.

"Federal Covered Investment Adviser Representative" means any person with a place of business in this State who is an investment adviser representative of a federal covered investment adviser.

"Federal Public Utility Holding Company Act of 1935" means 15 USC 79 through 79z-6).

"FINRA" means the self-regulatory organization registered under the Federal 1934 Act, as defined in this Section, known as the Financial Industry Regulatory Authority.

"Fiscal Year" means the annual accounting period or, if no accounting period has been adopted, the calendar year ending on December 31.

"Futures" and "Futures Contracts", as used in Section 130.270~~ of this Part~~, mean contracts of sale of a commodity for future delivery traded on or subject to the rules of a contract market designated by the CFTC or traded on or subject to the rules of any board of trade located outside the United States, its territories or possessions.

"Futures Commission Merchants", as used in Section 130.270~~ of this Part~~, means individuals, associations, partnerships, corporations and trusts engaged in soliciting or in accepting orders for the purchase or sale of any commodity for future delivery on or subject to the rules of any contract market and that, in or in connection with such solicitation or acceptance of orders, accepts any money, securities, or property (or extends credit in lieu thereof) to margin, guarantee or secure any trades or contracts that result or may result therefrom.

"Hearing" means a proceeding conducted by the Securities Department in which the rights, privileges, immunities, duties or obligations of any person or party are required by law to be determined by the Secretary only after opportunity for a hearing.

"Hearing Officer" means the designee of the Secretary or the Securities Director who, pursuant to Section 11 of the Act, is designated in the Notice of Hearing to preside at a hearing conducted pursuant to Section 11 of the Act or any person so designated as a substitute hearing officer.

"IARD" means the computer web-based registration system for the registration of investment advisers and investment adviser representatives known as the Investment Adviser Registration Depository operated by FINRA~~the NASD~~.

"Identifying Statement" means a written or oral communication or advertisement meeting the requirements of Section 130.210(b)(1)~~ of this Part~~.

"Insolvency" or "Insolvent" means the inability to pay debts and obligations when due or when current liabilities exceed current assets. Any party regulated by this Part claiming insolvency shall file with the Securities Department a balance sheet prepared as of a current date and executed and verified by the chief financial officer of the issuer.

"Internal Revenue Code" means the Internal Revenue Code of 1986 (26 USC 1-9602).

"Majority-Owned Subsidiary" means a subsidiary more than 50% of whose outstanding securities, which represent the right, other than as affected by events of default, to vote for the election of directors, is owned by the subsidiary's parent and/or one or more of the parent's other majority-owned subsidiaries.

"Material", when used to qualify a requirement for the furnishing of information as to any subject, limits the information required to those matters as to which there is a substantial likelihood that a reasonable investor would consider it important in deciding upon a course of action to be taken, including, but without limitation, purchasing, selling or holding the security or securities involved, or accepting or rejecting an offer or proposal made with regard to any security or securities.

~~"NASD" means the self-regulatory organization registered under the Federal 1934 Act, as defined in this Section, known as the National Association of Securities Dealers, Inc.~~

"Nonaccredited Investor", as used in Section 130.420~~ of this Part~~, means a person who is not a person set forth in Section 4.C, 4.H, 4.R or 4.S of the Act.

"Office", unless otherwise clarified, refers to the Office of the Securities Department of the Secretary of State, and not to any particular address or location.

"Officer" means the president; any vice president in charge of a principal business unit, division or function; the secretary; the treasurer; any principal financial officer, comptroller or principal accounting officer; any other officer performing a principal policy-making function; and any other person performing similar functions with respect to any organization whether incorporated or unincorporated.

"Options on Futures", as used in Section 130.270~~ of this Part~~, means puts or calls on a futures contract traded on or subject to the rules of a contract market designated by the CFTC or traded or subject to the rules of any board of trade located outside the United States, its territories or possessions.

"Pacific Coast Stock Exchange, Inc." means the Pacific Stock Exchange, Inc.

"Parent" of a specified person means an affiliate controlling such person directly or indirectly through one or more intermediaries.

"Party" means any person named as a petitioner or a respondent in a hearing conducted by the Securities Department.

"Person" means a natural person, a corporation, a partnership, a limited partnership, a limited liability company, a limited liability limited partnership, an association, a joint stock company, a trust or any unincorporated organization, except that, as used in this Section, the word "trust" includes only a trust where the interest or the interests of the beneficiary or beneficiaries are a security.

"Place of Business" of a federal covered investment adviser representative means a location at which the federal covered investment adviser representative provides investment advisory services, solicits, meets with, or otherwise communicates with clients, and any other location that is held out to the general public as a location at which the investment adviser representative provides investment advisory services, solicits, meets with, or otherwise communicates with clients.

"Predecessor" means a person, the major portion of the business and assets of which another person acquired in a single succession or in a series of related successions in each of which the acquiring person acquired the major portion of the business and assets of the acquired person.

"Preliminary Prospectus" means a document meeting the requirements of Section 130.210(b)(2)~~ of this Part~~.

"Principal Underwriter" means an underwriter in privity of contract with the issuer of the securities as to which that~~such~~ person is an underwriter.

"Promoter" means any person who, acting alone or in conjunction with one or more other persons, directly or indirectly takes initiative in founding and

organizing the business or enterprise of an issuer; or any person who, in connection with the founding and organizing of the business or enterprise of an issuer, directly or indirectly receives in consideration of services or property, or both, 10% or more of any class of securities of the issuer or 10% or more of the proceeds from the sale of any class of securities of the issuer. However, a person who receives the securities or proceeds either solely as underwriting commissions or solely in consideration of property shall not be deemed a promoter within the meaning of this definition if the person does not otherwise take part in founding and organizing the enterprise.

"Prospectus" means any prospectus, notice, circular, advertisement, letter or communication, written or by radio, television or other communications medium that offers any security for sale or confirms the sale of any security; except that a communication sent or given after the effective date of the registration of the security (other than a prospectus permitted under section~~Section~~ 10(b) of the Federal 1933 Act) shall not be deemed a prospectus if it is proved that, prior to or at the same time as the communication, a written prospectus, meeting the requirements of section~~Section~~ 10(a) of the Federal 1933 Act at the time of the communication, was sent or given to the person to whom the communication was made, and a notice, circular, advertisement, letter or communication in respect to a security shall not be deemed to be a prospectus if it states from whom a written prospectus meeting the requirements of Section 5 of the Act may be obtained and, in addition, does no more than identify the security, state the price thereof, state by whom orders will be executed, and contain such other information as the Secretary by this Part deems necessary or appropriate in the public interest and for the protection of investors and, subject to such terms and conditions as may be described therein, may permit.

"Regulated Account", as used in Section 130.270~~ of this Part~~, means a customer segregation account subject to 17 CFR 1.20 ~~as in effect on~~ (August 1, 1997)~~ (no subsequent amendments or editions)~~; provided, however, that, where such regulations do not permit to be maintained in such an account or require to be maintained in a separate regulated account funds or securities in proprietary accounts or funds or securities used as margin for or excess funds related to futures contracts, options on futures or any other instruments subject to CFTC jurisdiction that trade outside the United States, its territories or possessions, the term "regulated account" means such separate regulated account or any other account subject to 17 CFR 1.31 et seq. ~~as in effect on~~ (August 1, 1997)~~ (no subsequent amendments or editions)~~.

"Registrant" means the issuer of the securities that are the subject of the application for registration.

"Rules" refers to all rules adopted by the Secretary pursuant to the Act.

"Share" means a share of stock in a corporation or unit of interest in an unincorporated person.

"SEC" means the United States Securities and Exchange Commission.

"Secretary of State" "or "Secretary" means the Secretary of State of Illinois.

"Section" refers to a Section of this Part unless a reference to the Act is specifically made.

"Securities Department" means the Securities Department of the Office of the Secretary of State.

"Securities Protection Act of 1970" means the Securities Investor Protection Act of 1970 (15 USC 78aaa et seq.).

"Segregated Customer Funds", as used in Section 130.270 of this Part, means funds subject to 17 CFR 1.20 as in effect on (August 1, 1997) (no subsequent amendments or editions).

"SRD" means the automated computer registration system for the registration and renewal of registration of securities, investment fund shares and unit investment trusts registered under the Federal 1933 Act and Federal 1940 Investment Company Act known as the Securities Registration Depository.

"Significant Subsidiary" means a subsidiary for whichwhere:

the assets of the subsidiary, or the investments in and advances to the subsidiary by its parent and the parent's other subsidiaries, if any, exceed 15% of the assets of the parent and its subsidiaries on a consolidated basis; or

the sales and operating revenues of the subsidiary exceed 15% of the sales

and operating revenues of its parent and the parent's subsidiaries on a consolidated basis.

In determining whether a subsidiary is a significant subsidiary, such a subsidiary shall be considered in the aggregate with any subsidiaries of which it is the parent.

"State Bond and Mortgage Company" means the company currently known as SBM Certificate Company or any successor company.

"Subsidiary" of a specified person is an affiliate controlled by such person directly or indirectly through one or more intermediaries. (See also "Majority-Owned Subsidiary", "Significant Subsidiary" and "Totally-Held Subsidiary".)

"Succession" means the direct acquisition of the assets comprising a going business, whether by merger, consolidation, purchase, or other direct transfer. The term does not include the acquisition of control of a business unless followed by the direct acquisition of its assets. The terms "succeed" and "successor" have the same meaning as "succession".

"Totally-Held Subsidiary" means a subsidiary substantially all of whose outstanding securities are owned by its parent and/or the parent's other totally-held subsidiaries, and that is not indebted to any person other than its parent and/or the parent's other totally-held subsidiaries in an amount that is material in relation to the particular subsidiary, excepting indebtedness incurred in the ordinary course of business that is not overdue and that matures within one year from the date of its creation, whether evidenced by securities or not.

"Unit Investment Trust" means an investment company that~~which~~:

is organized under a trust indenture, agency or custodianship contract or similar instrument, does not have a board of directors; and

issues only redeemable securities, each of which represents an undivided interest in a unit of specified securities.

The term "unit investment trust" does not include a voting trust.

"Unsolicited Transaction", as used in Section 130.270~~ of this Part~~, means a

transaction that is not effected in a discretionary account or recommended to a customer by the futures commission merchant, an associated person of a futures commission merchant, a business affiliate that is controlled by, controlling, or under common control with, the futures commission merchant, or an introducing broker that is guaranteed by the futures commission merchant.

b) A Section in this Part that defines a term without express reference to the Act or to this Part defines that~~such~~ term for all purposes as used both in the Act and in this Part. Terms defined in the Act and not defined in this Part have the meanings given them in the Act.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.210 Definition of Acts Not Constituting a "Sale" or "Offer" as Used in Section 2.5 or 2.5a of the Act

a) The transmitting, sending or giving to any person or publishing an identifying statement, circular or preliminary prospectus, notice, advertisement, letter or other communication shall not constitute an "offer" or "sale" as used in Section 2.5 or 2.5a of the Act, provided that the identifying statement, circular or preliminary prospectus, notice, advertisement, letter, or other communication is used in connection with a security which is the subject of a pending application for registration which is on file with the Securities Department of the Office of the Secretary of State under Section 5 of the Act and substantially complies with the provisions of subsection (b)~~ of this Section~~.

b) For the purpose of this Part, the terms:

1) "identifying statement" and "circular" mean a written communication or advertisement or radio or television advertisement meeting the requirements of 17 CFR 230.134 (Rule 134) ~~in effect on~~ (May 31, 2011)~~January 1, 1996 (no subsequent amendments or editions)~~ under the Federal 1933 Act; and

2) "preliminary prospectus" means a document which contains substantially the information required by the Act to be included in a prospectus meeting the requirements of Section 5 of the Act for the securities being registered, or contains substantially that information except for the omission of information with respect to the offering price, underwriting discounts or

commissions, discounts or commissions to dealers, amounts of proceeds, conversion rates, call prices, or other matters dependent upon the offering price.

c) The outside front cover page of the preliminary prospectus shall bear, in red ink, the caption "Preliminary Prospectus", the date of its issuance, and:

1) the following statement printed in type as large as that generally in the body of the prospectus:

"An application for registration relating to these securities has been filed with the Secretary of State of Illinois, but has not yet become effective. Information contained herein is subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the application for registration becomes effective. This prospectus shall not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of these securities prior to registration under the Illinois Securities Law of 1953."; or

2) When~~Or in the alternative where~~ applicable, the statement required by Regulation S-K, Section 229.501~~,~~ (Item 501)~~(c)(8)~~ in effect on May 31, 2011~~January 1, 1996~~ under the Federal 1933 Act (no subsequent amendments or editions).

d) This Section shall not apply when the application for registration is the subject of pending proceedings under Section 11 of the Act or of an order of suspension, denial or prohibition entered under such Section.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.270 Definition of Certain Persons Not Considered to Be Dealers Under Section 2.7 of the Act

a) A futures commission merchant registered with the CFTC is not a dealer solely because the~~such~~ futures commission merchant effects transactions in government securities that are defined in subsection (b) ~~of this Section~~ as incidental to that~~such~~ person's futures-related business.

b) Transactions that Qualify as Incidental under Subsection (a)

1) The~~Provided that the~~ futures commission merchant:

A~~1~~) maintains in a regulated account as set forth in 17 CFR ~~Part I Sec.~~ 1.20 ~~as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent amendments or editions)~~ all funds and securities associated with the~~such~~ government securities transactions (except funds and securities associated with transactions under subsection (b)(2)(A)(i)~~ of this Section~~); and

B~~2~~) does not advertise that it is in the business of effecting transactions in government securities otherwise than in connection with futures or options on futures trading or the investment of margin or excess funds related to ~~such~~ trading or the trading of any other instrument subject to CFTC jurisdiction.

2~~3~~) The following transactions in government securities are incidental to the futures-related business of ~~such~~ a futures commission merchant:

A) Transactions as agent for a customer:

i) to effect delivery pursuant to a futures contract; or

ii) for risk reduction or arbitrage of existing or contemporaneously created positions in futures or options on futures;~~.~~

B) Transactions as agent for a customer for investment of margin and excess funds related to futures or options on futures trading or the trading of other instruments subject to CFTC jurisdiction, provided further that:

i) the~~such~~ transactions involve Treasury securities with a maturity of less than 93 days at the time of the transaction;

ii) the~~such~~ transactions generate no monetary profit for the futures commission merchant in excess of the costs of executing the~~such~~ transactions; or

iii) the~~such~~ transactions are unsolicited, and commissions and other income generated on transactions pursuant to this subsection (b)(2)(B)(iii) (including transactional fees paid by the futures commission merchant and charged to its customer) do not exceed 2% of the~~such~~ futures commission merchant's total commission revenues;~~.~~

C) Exchange of futures for physicals transactions as agent for or as principal with a customer; and

D) Any transaction or transactions that the SEC exempts, either unconditionally or on specified terms and conditions, as incidental to the futures-related business of a specified futures commission merchant, a specified category of futures commission merchants, or futures commission merchants generally.

c) A person registered with the CFTC, a contract market designated by the CFTC under section~~Section~~ 5 of the Federal 1936 Act, as defined in Section 130.200~~ of this Part~~, the~~such~~ a contract market's affiliated clearing organization, or any floor trader on the~~such~~ a contract market (hereinafter referred to collectively as a "CFTC-regulated person") is not a dealer solely because the~~such~~ person effects transactions for its own account in government securities that are defined in subsection (d) ~~of this Section~~ as incidental to that~~such~~ person's futures-related business.

d) Provided that a CFTC-regulated person does not advertise or otherwise hold itself out as a dealer except as permitted by 17 CFR 240.3a43-1~~230.3a43-1 as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent amendments or editions)~~, the following transactions in government securities for its own account are incidental to the futures-related business of ~~such~~ a CFTC-regulated person:

1) Transactions to effect delivery of a government security pursuant to a futures contract;

2) Exchange of futures for ~~physicals~~ transactions with:

A) a dealer that has registered with the SEC or filed notice pursuant to section~~Section~~ 15C(a) of the Federal 1934 Act, as defined in Section 130.200 of this Part; or

B) a CFTC-regulated person.

3) Transactions (including repurchase agreements and reverse repurchase agreements) involving segregated customer funds and securities or funds and securities held by a clearing organization with:

A) a dealer that has registered with the SEC or filed notice pursuant to section~~Section~~ 15C(a) of the Federal 1934 Act, as defined in Section 130.200 of this Part; or

B) a bank.

4) Transactions for risk reduction or arbitrage of existing or contemporaneously created positions in futures or options on futures with:

A) a dealer that has registered with the SEC or filed notice pursuant to section~~Section~~ 15C(a) of the Federal 1934 Act, as defined in Section 130.200 of this Part; or

B) a CFTC-regulated person.

5) Repurchase and reverse repurchase agreement transactions between a futures commission merchant acting in a proprietary capacity and another CFTC-regulated person action in a proprietary capacity and contemporaneous offsetting transactions between such a futures commission merchant with:

A) a dealer that has registered with the SEC or filed notice pursuant to section~~Section~~ 15C(a) of the Federal 1934 Act, as defined in Section 130.200 of this Part;

B) a bank; or

C) a CFTC-regulated person.

6) Any transaction or transactions that the SEC exempts, either unconditionally or on specified terms and conditions, as incidental to the futures related business of a specified CFTC-regulated person, a specified

category of CFTC-regulated persons, or CFTC-regulated persons generally.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.280 Definition of the Term "Branch Office" of a Registered Dealer, as Used in Section 8 of the Act

a) A "branch office" is any location where one or more associated persons of a registered dealer regularly conduct the business of effecting any transactions in, or inducing or attempting to induce the purchase or sale of, any security, or is held out as such, excluding:

1) Any location that is established solely for customer service and/or back office type functions where no sales activities are conducted and that is not held out to the public as a branch office;

2) Any location that is the associated person's primary residence; provided that:

A) Only one associated person or multiple associated persons who reside at that location and are members of the same immediate family, conduct business at the location;

B) The location is not held out to the public as an office and the associated person does not meet with customers at the location;

C) Neither customer funds nor securities are handled at that location;

D) The associated person is assigned to a designated branch office, and that designated branch office is reflected on all business cards, stationery, advertisements and other communications to the public by the associated person;

E) The associated person's correspondence and communications with the public are subject to the firm's supervision in accordance with FINRA~~NASD~~ Rule 3010;

F) Electronic communications are made through the registered dealer's electronic system;

G) All orders are entered through the designated branch office or an electronic system established by the registered dealer that is reviewable at the branch office;

H) Written supervisory procedures pertaining to supervision of sales activities conducted at the residence are maintained by the registered dealer; and

I) A list of the residence locations is maintained by the registered dealer;

3) Any location, other than a primary residence, that is used for securities business for less than 30 business days in any one calendar year, provided the registered dealer complies with the provisions of subsections (a)(2)(A) through (H)~~ of this Section~~;

4) Any office of convenience, where associated persons occasionally and exclusively by appointment meet with customers, that is not held out to the public as an office. If the office of convenience is located on bank premises, signage necessary to comply with applicable federal and State laws, rules and regulations and applicable rules and regulations of the NYSE, other self-regulatory organizations, and securities and banking regulations may be displayed and shall not be deemed "holding out" for purposes of this Section;

5) Any location that is used primarily to engage in non-securities activities and from which the associated persons effects no more than 25 securities transactions in any one calendar year; provided that any advertisement or sales literature identifying the location also sets forth the address and telephone number of the location from which the associated persons conducting business at the non-branch locations are directly supervised;

6) The Floor of a registered national securities exchange where a registered dealer conducts a direct access business with public customers; or

7) A temporary location established in response to the implementation of a business continuity plan.

b) Notwithstanding the exclusions provided in subsection~~subsections~~ (a)~~(1) through (7)~~, any location that is responsible for supervising the activities of persons associated with the registered dealer at one or more non-branch locations of the registered dealer is considered to be a branch office.

c) The term "business day", as used in this Section, shall not include any partial business day provided that the associated person spends at least four hours on the business day at his or her designated branch office during the hours that the office is normally open for business.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

SUBPART D: EXEMPT TRANSACTIONS

Section 130.420 Uniform Limited Offering Exemption Pursuant to Section 4.D of the Act

a) Any offer or sale of securities offered or sold in compliance with the Federal 1933 Act, Regulation D, Rules 230.501-230.503 and 230.505 (17 CFR 230.501-230.503 and 230.505 (May 31, 2011)) and that~~which~~ satisfies the following further conditions and limitations is an exempt transaction.~~:~~

1) No exemption under this Section shall be available for the securities of any issuer if any of the parties described in the Federal 1933 Act, Regulation A, Rule 230.262 Sections (a), (b) and (c) (17 CFR 230.262(a), (b) and (c) (May 31, 2011))~~ as in effect on August 1, 1997 (no subsequent amendments or editions):~~.

A) has filed a registration statement that~~which~~ is subject to a currently effective registration stop order entered pursuant to any state's securities law or the SEC within five years prior to the filing of the notice required under this exemption as required by subsection (b);

B) has been convicted within five years prior to the filing of the notice required under this exemption of any felony or misdemeanor in connection with the offer, purchase or sale of any security or any felony involving fraud or deceit, including but not limited to

forgery, embezzlement, obtaining money under false pretenses, larceny or conspiracy to defraud;

C) is currently subject to SEC or any state administrative enforcement order or judgment entered by that state's securities administrator or the SEC within five years prior to the filing of the notice required under this exemption or is subject to SEC or any state's administrative enforcement order or judgment in which fraud or deceit, including but not limited to making untrue statements of material facts and omitting to state material facts, was found and the order or judgment was entered within five years prior to the filing of the notice required under this exemption;

D) is subject to SEC or any state's administrative enforcement order or judgment that~~which~~ prohibits, denies or revokes the use of any exemption from registration in connection with the offer, purchase or sale of securities;

E) is currently subject to any order, judgment, or decree of any court of competent jurisdiction temporarily or preliminarily restraining or enjoining, or is subject to any order, judgment or decree of any court of competent jurisdiction permanently restraining or enjoining, the~~such~~ party from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security or involving the making of any false filing with the state entered within five years prior to the filing of the notice required under this exemption;

2) the prohibitions of subsections (a)(1)(A) through -(C) and (E) of this Section shall not apply if the person subject to the disqualification is duly licensed or registered to conduct securities related business in the state in which the administrative order or judgment was entered against such person or if the dealer employing such party is licensed or registered in this State and the Form BD filed with the Securities Department discloses the order, conviction, judgment or decree relating to such person; no person disqualified under this subsection (a)(2) may act in a capacity other than that for which the person is licensed or registered; and

3) any disqualification caused by this Section is automatically waived if the

SEC or state securities administrator or agency of the state that~~which~~ created the basis for disqualification determines upon a showing of good cause that it is not necessary under the circumstances that the exemption be denied. It is a defense to a violation of this subsection (a) if the issuer sustains the burden of proof to establish that the~~such~~ person did not know and in the exercise of reasonable care could not have known that a disqualification under this subsection (a) existed.

b) The issuer shall file with the Securities Department a notice on Form D (17 CFR 239.500 (May 31, 2011)):

1) the notice shall be filed no later than 15 days after the receipt of consideration or the delivery of a subscription agreement by an investor in this State that~~which~~ results from an offer being made in reliance upon this exemption and at such other times and in the form required under Regulation D, Rule 230.503 to be filed with the SEC;

2) the notice shall contain an undertaking by the issuer to furnish to the Securities Department, upon written request, the information furnished by the issuer to offerees who are offered or sold a security that~~which~~ is not exempt under any provision of Section 3 of the Act or who are offered or sold a security in a transaction that~~which~~ is not exempt under any provision of Section 4 of the Act;

3) every person filing the initial notice provided for in subsection (b)(1) of this Section shall pay the filing fee pursuant to Section 130.110~~ of this Part~~.

c) In all sales to nonaccredited investors in this State, the issuer and any person acting on its behalf shall have reasonable grounds to believe, and after making reasonable inquiry shall believe, that one of the following conditions is satisfied:

1) the investment is suitable for the purchaser upon the basis of the facts, if any, disclosed by the purchaser as to his or her other security holdings and as to his or her financial situation and needs; for the purpose of this condition only, it may be presumed that if the investment does not exceed 10% of the investor's net worth, it is suitable; and

2) the purchaser, either alone or with his or her purchaser

representatives~~representative(s)~~, has such knowledge and experience in financial and business matters that ~~he or she is, or~~ they are~~,~~ capable of evaluating the merits and risk of the prospective investment.

d) A failure to comply with a term, condition or requirement of this exemption will not result in loss of the exemption from the requirements of Section 4.D of the Act for any offer or sale to a particular individual or entity, if the person relying on the exemption shows:

1) the failure to comply did not pertain to a term, condition or requirement directly intended to protect that particular individual or entity; or

2) the failure to comply was insignificant with respect to the offering as a whole; or

3) a good faith and reasonable attempt was made to comply with all applicable terms, conditions and requirements of the exemption.

e) The exemption authorized by this Section shall be known and may be cited as the "Uniform Limited Offering Exemption."

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.436 Procedures for Applying for Trading Authorization Pursuant to Section 4(F)(2) of the Act

a) Any registered dealer who wishes to apply for trading authorization pursuant to Section 4(F)(2) of the Act shall apply on a form and in the manner prescribed by the Secretary.

b) The application shall consist of the following:

1) Illinois Form 4(F)(2), Application for Secondary Trading Authorization;

2) The required non-refundable filing fee as required by Section 130.110~~ of this Part~~;

3) Audited financial statements of the issuer covering its last three~~ (3)~~ fiscal years or such lesser period, but not less than one year, during which the

issuer was incorporated or otherwise organized;

4) Illinois Form 4F2-K (otherwise known as the annual report); and

5) Any other information or documents that~~which~~ the applicant may file as a part of the application for secondary trading authorization.

c) The application form shall contain the following information:

1) The name, address and telephone number of the issuer's principal office;

2) The name, address and telephone number of the correspondent to whom notices and communications regarding the application should be sent;

3) The name and address of the registered dealer applicant;

4) A description of the securities for which secondary trading authorization is sought including the current price and number of units or shares outstanding;

5) The year the business was organized, the form of the organization, the state or other jurisdiction where it was organized and affiliation with other business entities;

6) A general description of the issuer's business including the nature and general competitive conditions in the industry;

7) A description of the issuer's property, including the location and general character of the important physical properties or assets of the issuer as referenced in 17 CFR 229.102 (Item 102) ~~as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent amendments or editions)~~;

8) A description of any pending or contemplated legal proceedings, other than routine litigation incidental to business, to which the issuer or any of its subsidiaries are a party or of which any property is the subject as referenced in 17 CFR 229.103 (Item 103) ~~as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent amendments or editions)~~;

9) A list of the names, addresses and ages of all directors and officers of the

issuer including the position held and their business experience and background;

10) The total gross remuneration of all directors and officers of the issuer;

11) A list of the title of class, the name of the beneficial owner, the amount and nature of beneficial ownership and the percent of class for all directors and officers and any person owning more than five ~~(5)~~ percent of any class of the issuer's securities;

12) a description of any transaction or proposed transaction since the issuer's last fiscal year, in which the issuer and any director, officer or beneficial owner of five ~~(5)~~ percent or more of any class of the issuer's securities involves an amount exceeding $60,000;

13) A brief description of the securities to be authorized for secondary trading highlighting materially important provisions with respect to the securities and a description of all other securities issued and outstanding by the issuer including the rights and incidents thereof as referenced in 17 CFR 229.202 (Item 202) ~~as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent amendments or editions)~~;

14) The total number of shares or units issued and outstanding, as of the current date, to be authorized for secondary trading;

15) The total number of shareholders and the number of shareholders in Illinois, as well as the number of securities held as of the current date;

16) The most recent bid and asked price of the securities to be authorized for secondary trading, if any, and the date of the bid and asked price;

17) A copy of the Registration Statement or the offering circular, if any, filed under section~~Section~~ 3, 4 or 6 of the Federal 1933 Act, as defined in Section 130.200 of this Part, along with the effective date of the Registration Statement or the date on which the offering commenced under an exemption together with the offering price, if any;

18) A description of how the securities were originally sold or issued including the name of each principal underwriter;

19) A list of the states or other jurisdictions in which the securities were sold, indicating whether the securities were registered or sold pursuant to an exemption in each state or jurisdiction;

20) A list of any other states or jurisdictions that have refused after notice and opportunity for hearing, by order or otherwise, to authorize the sale of the securities or have suspended or revoked the right to sell the securities, or any stop order, denial, order to show cause, suspension or revocation order, injunction or restraining order, or similar order entered or issued by any state or other regulatory authority or by any court, concerning the securities covered by the application including a copy of any orders as referenced in 17 CFR 229.103~~220.103~~ (Item 103) ~~as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent amendments or editions)~~;

21) A list of any states or other jurisdictions in which the securities are pending approval for secondary trading; and

22) A list of any states or other jurisdictions in which the securities are currently eligible for secondary trading.

d) The application shall be signed and notarized. By signing the application the applicant undertakes to file any information, documents and reports required by the Secretary and also represents that the application is made in good faith.

e) A written request for a waiver of any requirement of the form may be submitted to the Secretary as an exhibit to the application. The request shall state, in detail, the reason or reasons why the requirement should be waived.

f) Applications failing to meet the requirements of this Section shall be denied. The Department shall contact the applicant or correspondent in cases in which an application is deficient and afford the~~such~~ party an opportunity to remedy the~~such~~ deficiency.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

SUBPART E: REGISTRATION OF SECURITIES

Section 130.502 Financial Statement Requirements

For the purpose of this Part and to insure uniform interpretation, the form and content of financial statements, which are to be filed in connection with any filing under the Act, shall conform to 17 CFR 210.1-01 through 17 CFR 210.12-29 (Regulation S-X)~~ in effect on~~ (May 31, 2011)~~January 1, 1984~~ and Accounting Series Releases as they relate to the Federal 1933 Act and the Federal 1934 Act.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.510 Procedures for Registration of Securities by Coordination under Section 5.A of the Act

a) Filing Requirements~~requirements.~~

1) Application for registration of securities pursuant to Section 5.A of the Act shall be made by filing the following documents with the Securities Department in Springfield in the form required by Section 5.A(2) of the Act:~~;~~

A) One copy of the registration statement (without exhibits) that~~which~~ sets fort the title of the securities, price or proposed offering price, and ~~the~~ aggregate number of units to be offered by the registration statement on file with the SEC in its most recent form as of the date of the initial filing under Section 5.A of the Act;

B) A completed Application to Register Securities on Form U-1 as provided in Appendix B, executed by the applicant, if a natural person; or by a general partner, if the applicant is a partnership; or by an officer of the applicant, if a corporation; or in other cases by a credible person having knowledge of the facts, setting forth the title of the securities to be registered, the total offering of securities in number and dollar amount, the offering of securities in number and dollar amount to be offered in this State, the offering price or proposed offering price and the proposed maximum aggregate price and the proposed maximum aggregate price for the securities in this State ~~therefor~~ as defined in Section 130.251 ~~of this Part~~ and, if the applicant is electing the date of effectiveness of a post-effective amendment filed or to be filed with the SEC as its "effective date" as defined in Section 2.13 of the Act, specifying

that~~such~~ date as the "effective date" for purposes of paragraph 6 of the Application;

C) If the applicant is not a registered dealer, the name of at least one registered dealer for the securities being registered (except that, in the case of securities being offered and sold on a delayed or continuous basis pursuant to 17 CFR 230.415 ~~as in effect on~~ (May 31, 2011)~~January 1, 1996 (no subsequent amendments or editions)~~, the name of the registered dealer may be furnished no later than the close of business on the second business day following the commencement of sales of the registered securities), or if no registered dealer is participating in the offering, a description of the method by which the securities being registered will be offered and sold in Illinois in compliance with Section 8 of the Act; and

D) The filing fee required by Section 5.C(1) of the Act in the form and amount required by Section 130.110 of this Part.

2) The completed Application to Register Securities on Form U-1 shall constitute the application and the undertaking called for Sections 5.A(2)(c) and 5.A(2)(d), respectively, of the Act, except that:

A) The time period for filing documents described in the undertaking set forth in paragraph 9(b) of the Application shall be deemed to be the seven calendar days after the forwarding of the document~~thereof~~ to the SEC;

B) Only amendments to the federal registration statement that~~which~~ amend or supplement the registration statement need be filed pursuant to paragraph 9(b)(i) of the Application; and

C) The applicant otherwise shall be required to comply with the undertakings set forth in paragraph 9 of the Application only to the extent required by the Act and this Part.

b) If, prior to the effective date, there was~~shall have been~~ filed with the Securities Department all of the documents and fees specified in subsection (a)~~ of this Section~~, registration of securities under Section 5.A of the Act shall become effective automatically on the effective date, provided that:

1) the application for registration is not then the subject of pending proceedings under Section 11.F of the Act or of an order of suspension, denial or prohibition under Section 11 of the Act; and

2) at least one of the following events ~~shall have~~ occurred on or before the effective date:

A) the Securities Department ~~shall have~~ notified the applicant, in writing (which may be by telegraphic, electronic or facsimile transmission), that the~~such~~ documents and fees conform to the requirements of the Act and this Part;

B) at least 10~~ten~~ business days ~~shall~~ have expired from and including the date on which all of the documents and fees specified in subsection (a) were~~of this Section have been~~ filed with or paid to the Securities Department.

c) If, prior to the effective date, all of the documents specified in subsection (a) were not filed~~of this Section shall not have been filed~~ with the Securities Department, the registration under Section 5.A of the Act shall take effect on the date that all of the following conditions are satisfied:

1) All of the documents and fees specified in subsection (a) were~~of this Section shall have been~~ filed with or paid to the Securities Department;

2) The application for registration is not then the subject of pending proceedings under Section 11.F of the Act or of an order of suspension, denial or prohibition under Section 11 of the Act; ~~and~~

3) There was~~shall have been~~ filed with the Securities Department a statement from the applicant, in writing (which may be by telegraphic, electronic or facsimile transmission), that~~which~~ either:

A) states that no securities that~~which~~ are part of the offering being registered have been sold in this State; or

B) if securities that~~which~~ are part of the offering being registered have been sold in this State, ~~that~~ sets forth the name and address of each

purchaser of the~~such~~ securities, the dollar amount sold, and the exemption or exemptions from registration under Section 3 or 4 of the Act relied upon in making each ~~such~~ sale;~~.~~

4) At least one of the following events ~~shall have~~ occurred:

A) The Securities Department ~~shall have~~ notified the applicant, in writing (which may be by telegraphic, electronic or facsimile transmission), that the~~such~~ documents and fees conform to the requirements of the Act and this Part; or

B) At least 10~~ten~~ business days ~~shall~~ have expired from and including the date on which all of the documents and fees specified in subsection (a) were~~of this Section have been~~ filed with or paid to the Securities Department; and

5) There was~~shall have been~~ filed with the Securities Department a statement from the applicant, in writing (which may be by telegraphic, electronic or facsimile transmission), dated no earlier than the first business day preceding the date on which the registration under Section 5.A of the Act is to take effect, stating that:

A) The registration statement filed under the Federal 1933 Act, as defined in Section 130.200 of this Part, is then in effect; and

B) The registration statement, including any amendments or supplements~~ thereto~~, then on file with the Securities Department satisfies the requirements of section~~Section~~ 10(a)(3) of the Federal 1933 Act, as defined in Section 130.200 of this Part.

d) The applicant shall file with the Securities Department~~,~~ a notice, in writing (which may be by telegraphic, electronic or facsimile transmission), no later than the close of business on the second business day following the later of the effective date or the date on which the registration under Section 5.A of the Act shall take effect, of:

1) The offering price~~price(s)~~ (provided, that if the offering is to be made on a delayed or continuous basis pursuant to Rule 415 under the Federal 1933 Act, 17 CFR 230.415 as defined in Section 130.200 of this Part, the

offering price~~price(s)~~ need only be furnished if known to applicant~~,~~ and if not indicated in documents already on file with the Securities Department); and

2) The date that the registration statement, or, if the applicant is electing the date of effectiveness of a post-effective amendment, that the post-effective amendment~~,~~ became effective under the Federal 1933 Act, as defined in Section 130.200 of this Part.

e) No offering of securities shall be registered under Section 5.A of the Act if, prior to the effective date, all of the securities that~~which~~ are part of the offering being registered have been sold. The Secretary shall require, in any case in which~~where~~ it appears that this subsection (e) may be violated, an affidavit to the effect that securities that~~which~~ are part of the offering remain available for sale.

f) The issuer, controlling person or registered dealer~~,~~ who filed the application may petition the Securities Department, in writing, prior to effectiveness of the registration of the securities under the Federal 1933 Act, as defined in Section 130.200 of this Part, for a waiver of automatic effectiveness of the registration of securities under the Act if such effectiveness would cause the issuer, controlling person or registered dealer to violate any provision of the Act or this Section. The Securities Department shall notify the issuer, controlling person or registered dealer in writing of the Secretary's decision to grant or deny any request for waiver of automatic effectiveness. If the waiver is granted, the registration of securities shall become effective automatically on the~~such~~ date ~~as shall be~~ designated in writing by the issuer, controlling person or registered dealer who filed the application, provided that ~~such~~ person has satisfied all of the requirements of the Act and this Section.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.525 Procedures for Registration of Securities by Qualification under Section 5.B(7) of the Act, Small Company Offering Registration ("SCOR") on Form U-7

a) To be eligible to use Form U-7, an issuer must comply with each of the following requirements:

1) The issuer must be a corporation or a limited liability company organized under the laws of one of the states or possessions of the United States

that~~which~~ engages in or proposes to engage in a business other than petroleum exploration or production or mining or other extractive industries. "Blind pool" offerings and other offerings for which the specific business or properties cannot now be described are ineligible to use Form U-7;

2) The securities may be offered and sold only on behalf of the issuer, and Form U-7 may not be used by any selling security-holder (including underwriters in a firm commitment underwriting) to register the securities for resale;

3) The offering price for common stock (and the exercise price, if the securities are options, warrants or rights for, and the conversion price if the securities are convertible into common stock) must be equal to or greater than $1.00 per share;

4) The issuer may engage salespersons to sell the securities. Commissions, fees, or other remuneration for soliciting any prospective purchaser in this State in connection with the offering may only be paid to persons who are registered as salespersons;~~.~~

5) Form U-7 shall not be available for the securities of any issuer if the issuer or any of its officers, directors, 10% stockholders, promoters or any salesperson of the securities to be offered, or any officer, director or partner of the~~such~~ issuer:

A) has filed a registration statement that~~which~~ is the subject of a currently effective registration stop order entered pursuant to any state's securities law within five years prior to the filing of the application for registration~~ hereunder~~;

B) has been convicted within five years prior to the filing of the application for registration ~~hereunder~~ of any felony or misdemeanor in connection with the offer, purchase or sale of any security or any felony involving fraud or deceit, including, but not limited to, forgery, embezzlement, obtaining money under false pretenses, larceny or conspiracy to defraud;

C) is currently subject to any state administrative enforcement order

or judgment entered by that state's securities administrator within five years prior to the filing of the application for registration ~~hereunder~~ or is subject to any state's administrative enforcement order or judgment in which fraud or deceit, including but not limited to making untrue statements of material facts and omitting to state material facts, was found and the order or judgment was entered within five years prior to the filing of the application for registration ~~hereunder~~;

D) is subject to any state's administrative enforcement order or judgment that~~which~~ prohibits, denies or revokes the use of any exemption from registration in connection with the subject offer, purchase or sale of securities included in the application for registration ~~hereunder~~; or

E) is currently subject to any order, judgment or decree of any court of competent jurisdiction temporarily or preliminarily restricting, enjoining, or subject to any order, judgment or decree of any court of competent jurisdiction, permanently restraining or enjoining, from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security or involving the making of any false filing with the state entered within five years prior to the filing of the application for registration ~~hereunder~~;~~.~~

6) The prohibitions of subsections (a)(5)(A), (B), (C) and (E) ~~of this Section~~ shall not apply if the person subject to the disqualification is duly licensed or registered to conduct securities related business in the state in which the administrative order or judgment was entered against that~~such~~ person or if the dealer employing that~~such~~ party is licensed or registered in this State and the Form BD filed with this State discloses the order, conviction, judgment or decree relating to that~~such~~ person. If any of the circumstances in subsection (a)(5)(B), (C) or (E) ~~of this Section~~ has occurred more than five years from the date of the application for registration ~~hereunder~~, these circumstances should be described in response to Question 45 of Form U-7 as a Miscellaneous Factor;~~.~~

7) Use of Form U-7 is available to any offering of securities by an issuer, the aggregate offering price of which within or outside this State shall not

exceed $1,000,000, less the aggregate offering price for all securities sold within the 12~~twelve~~ months before the sale of, and during the offering of, the securities under SEC Rule 504 in reliance on any exemption under section 3(b) of the Federal 1933 Act not in violation of section 5(a) of that Act. Form U-7 is not available to a company that is an investment company (including mutual funds) or is subject to the reporting requirements of section~~Section~~ 13 or 15(d) of the Federal 1934 Act;~~.~~

8) The issuer shall file with the SEC a Form D pursuant to Regulation D under the Federal 1933 Act claiming exemption of the offering from registration under the Federal 1933 Act pursuant to Rule 504 under that Act~~thereunder~~. A copy of the Form D with Illinois signature pages shall be filed with the Securities Department at the same time it is filed with the SEC.

b) Application for registration of securities pursuant to Section 5.B(7) of the Act shall be made by:

1) filing the following documents with the Securities Department in the form required by Section 5.B of the Act:

A) A completed Application to Register Securities on Form U-1, executed by the applicant, if a natural person; or by an officer of the applicant, if a corporation; or in other cases by a credible person having knowledge of the facts, setting forth the name and address of the issuer, the title and total amount of the securities to be offered, the amount of the securities to be registered in this State pursuant to the Application, and the proposed maximum aggregate price for the securities being registered as defined in Section 130.251~~ of this Part~~;

B) A copy of the Form U-7, Disclosure Document, with a response to each question in each paragraph of the Form U-7; if a question is not applicable, the response should so indicate; each response should be clearly and concisely stated and should not include nominal, immaterial or insignificant information;

C) Form of Selling Agency Agreement, if any;

D) Issuer's articles of incorporation or other charter documents and all amendments to those Articles or documents~~thereto~~;

E) Issuer's by-laws, as amended to date;

F) Copy of any resolutions by directors setting forth terms and provisions of capital stock to be issued;

G) Any indenture, form of note or other contractual provision containing terms of notes or other debt, or of options, warrants or rights to be offered, if any;

H) Specimen of security to be offered (including any legend restricting resale);

I) Copy of all advertising or other materials, including electronic media and correspondence, directed to or to be furnished investors in the offering;

J) Form of escrow agreement for escrow of proceeds, if any;

K) Form of any subscription agreement for the purchase of securities in the offering;

L) Opinion of counsel as to the legality of the securities to be issued;

M) Consent to inclusion in the disclosure document of tax advisor's opinion or description of tax consequences, if any;

N) Consent to inclusion in the disclosure document of any evaluation of litigation or administrative action by counsel, if any;

O) Schedule setting forth the name and residential street address of each officer, director and principal stockholder;

P) Work sheets showing computations of responses to questions 6, 7(a), 8(a), 8(b) and 17(b) of Form U-7;

Q) Undertaking to file promptly with the Securities Department any

and all amendments of and supplements to the disclosure document previously~~as theretofore~~ filed under Section 5.B of the Act, accompanied by the examination fee specified in Section 130.110~~ of this Part~~; and

R) Name of the registered dealer who will be selling the securities, if any; or Form U4s~~U-4s~~ for each individual who will be selling the securities, together with the filing fee required by Section 8.C(7) of the Act in the form and amount required by Section 130.110 ~~of this Part~~ or a description of the method by which the securities being registered will be offered and sold in Illinois in compliance with Section 8 of the Act.

2) Paying to the Securities Department the examination fee and filing fee required by Section 5.B(2)(g) and 5.C(1), respectively, of the Act in the form and amount required by Section 130.110 of this Part.

c) The Securities Department shall within a reasonable time examine the application and documents filed, and unless~~: 1)~~the Securities Department makes a determination that the application and documents so filed do not conform to the requirements of Section 5.B(7) of the Act and this Section; or ~~2)~~the application for registration is then the subject of pending proceedings under Section 11.F of the Act or of an order of suspension, denial or prohibition under Section 11 of the Act, the Department shall declare the Form U-7 effective and register the securities for offer and sale in this State under Section 5.B of the Act.

d) Issuer notification requirements to the Securities Department after the securities are registered:

1) Notification within two business days after the occurrence of any event that~~which~~ requires a material change in Form U-7 and submission of the following:

A) a complete Form U-7 as revised, amended or supplemented, marked to show changes from the previously filed version; and

B) the amendment filing fee as required by Section 5.B(2)(g) of the Act and in the form and amount required by Section 130.110 of this Part;

2) Monthly sales report disclosing the total dollar amount of securities sold in this State, to be filed not later than 10 business days following the end of each month;

3) Final sales report disclosing the total dollar amount of securities sold in this State, to be filed not later than 10 business days following the completion or termination of the offering; and

4) Affidavit of termination, as required pursuant to Section 5.D of the Act, to be filed not later than 30 days following completion or termination of the offering.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.530 Renewal of Registration of Securities Under Section 5.E of the Act

a) An issuer, controlling person or registered dealer shall file an application for renewal of registration of part or all of the securities that~~which~~ remain unsold by filing with the Securities Department, no later than 10~~ten~~ business days prior to the date upon which the registration under Section 5.A of the Act or renewal under Section 5.E of the Act would expire, on Form U-1 executed by an officer of the issuer, controlling person or registered dealer and pay~~paying~~ the fee set forth in Section 130.110~~ of this Part~~. The~~Such~~ application shall be accompanied by a copy of the prospectus in its most current form.

b) Any application for renewal of registration of securities filed with or fee paid to the Securities Department within nine business days or less prior to the date upon which the registration or renewal would expire shall pay an additional fee set forth in Section 130.110~~ of this Part~~.

c) Any application for renewal of registration of securities filed with or fee paid to the Securities Department on or after the date upon which the registration has expired shall pay an additional fee set forth in Section 130.110 ~~of this Part~~ until the application is filed and the renewal fee and all late~~such additional~~ fees are paid.

d) The renewal of the registration under subsection (a), (b) or (c) ~~of this Section~~ shall take effect as of the date that the prior registration or renewal expired.

e) No application for renewal of registration of securities shall be deemed to be filed or take effect if the application, renewal fee or additional fee was~~shall have been~~ filed with or paid to the Securities Department more than one year after the most recent expiration of the registration or renewal of the registration.

f) Prior to the renewal of any registration or renewal, the issuer, controlling person or registered dealer shall file~~have filed~~ with the Securities Department the name of at least one registered dealer that~~which~~ will be offering or selling the securities or file~~have filed~~ an application for registration on Form U4~~U-4~~ or renewal on Form 8.C(1) for at least one salesperson that the Securities Department will grant registration of, or renewal of registration of, concurrently with the renewal of the registration of the securities and pay~~paid~~ to the Securities Department the fee and the additional fee, if any, set forth in Section 130.110~~ of this Part~~.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

SUBPART F: FACE AMOUNT CERTIFICATE CONTRACTS

Section 130.630 Renewal of Registration of Face Amount Certificate Contracts Under Section 6.F of the Act

a) An issuer, controlling person or registered dealer shall file an application for renewal of registration of part or all of the face amount certificate contracts that~~which~~ remain unsold by filing with the Securities Department, no later than 10~~ten~~ business days prior to the date upon which the registration under Section 6.A of the Act or renewal under Section 6.F of the Act would expire, on Form U-1 executed by an officer of the issuer, controlling person or registered dealer and pay~~paying~~ the fee set forth in Section 130.110~~ of this Part~~. The~~Such~~ application shall be accompanied by one copy of the prospectus in its most current form.

b) Any application for renewal of registration of face amount certificate contracts filed with or fee paid to the Securities Department within nine business days or less but prior to the date upon which the registration or renewal would expire shall pay an additional fee set forth in Section 130.110~~ of this Part~~.

c) Any application for renewal of face amount certificate contracts filed with, or fee paid to, the Securities Department on or after the date upon which the registration would expire shall pay an additional fee set forth in Section 130.110 ~~of this Part~~

until the application is filed and the renewal fee and all late~~such additional~~ fees are paid.

d) The renewal of the registration under subsection (a), (b) or (c) of this Section shall take effect on the date that the prior registration or renewal expired.

e) No application for renewal of face amount certificate contracts shall be deemed to be filed or take effect if the application, renewal fee or additional fee was~~shall have been~~ filed with or paid to the Securities Department more than one year after the most recent expiration of the registration or renewal of the registration.

f) Prior to the renewal of any registration or renewal, the issuer, controlling person or registered dealer shall file~~have filed~~ with the Securities Department the name of at least one registered dealer that~~which~~ will be offering or selling the face amount certificate contracts or file~~have filed~~ an application for registration on Form U4~~U-4~~ or renewal on Form 8C(1) for at least one salesperson that the Securities Department will grant registration of, or renewal of registration of, concurrently with the renewal of the registration or renewal of the face amount certificate contracts and pay~~paid~~ to the Securities Department the fee and additional fee, if any, set forth in Section 130.110~~ of this Part~~.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

SUBPART G: INVESTMENT FUND SHARES

Section 130.730 Renewal of Registration of Investment Fund Shares Under Section 7(G) of the Act

a) An issuer, controlling person or registered dealer shall file an application for renewal of registration of part or all of the investment fund shares which remain unsold by filing with the Securities Department no later than ~~ten (~~10~~)~~ business days prior to the date upon which the registration under Section 7(A) of the Act or renewal under Section 7(G) of the Act would expire on Form 7G or Form U-1 as provided in Appendix B executed by an officer of the issuer, controlling person or registered dealer and paying the fee set forth in Section 130.110~~ of this Part~~. The~~Such~~ application shall be accompanied by a copy of the prospectus and Statement of Additional Information in their most current form on file with the SEC.

b) Any application for renewal of registration of investment fund shares filed with or fee paid to the Securities Department within nine ~~(9)~~ business days or less but prior to the date upon which the registration would expire shall pay an additional fee set forth in Section 130.110~~ of this Part~~.

c) Any application for renewal of registration of investment fund shares filed with or fee paid to the Securities Department on or after the date upon which the registration would expire shall pay an additional fee set forth in Section 130.110 ~~of this Part~~ until the application is filed and the renewal fee and all such additional fees are paid.

d) The renewal of the registration under subsection (a), (b) or (c) ~~of this Section~~ shall take effect on the date that the prior registration or renewal expired.

e) No application for renewal of the registration of investment fund shares shall be deemed to be filed or take effect if the application, renewal fee or additional fee shall have been filed with or paid to the Securities Department more than one year after the most recent expiration of the registration or renewal of the registration.

f) Prior to the renewal of any registration or renewal, the issuer, controlling person or registered dealer shall have filed with the Securities Department the name of at least one registered dealer which will be offering or selling the investment fund shares or have filed an application on Form U4~~U-4~~ or renewal on Form 8C(1) for registration for at least one salesperson that the Securities Department will grant registration of or renewal of registration of concurrently with the renewal of the registration or renewal of the investment fund shares and paid to the Securities Department the fee set forth in Section 130.110~~ of this Part~~.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

SUBPART H: REGISTRATION OF DEALERS, SALESPERSONS, INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES

Section 130.810 Procedures for Registration as a Dealer Under Section 8.B of the Act

No person shall be registered as a dealer unless satisfactory evidence shall have been furnished to the Secretary of the trustworthiness of the applicant and the applicant's officers, directors, partners, principal members or trustees. No person shall be registered as a dealer until that person shall have given evidence of competency to engage in the business of dealing in, buying

or selling securities. Every person or officer who sells securities in this State shall be deemed to be a salesperson and must be registered as such in accordance with Section 8.B of the Act.

a) Each applicant for registration as a dealer shall deliver to FINRA~~the NASD~~ Form BD as provided in Appendix C or, if already on file with FINRA~~the NASD~~, the requisite amendment that~~which~~ indicates that an application is on file in this State and pay to FINRA~~the NASD~~ the registration fee specified in Section 130.110~~ of this Part~~.

b) Each applicant for registration as a dealer shall file with the Securities Department a complete and current application and pay to the Securities Department the branch office fee, if any, specified in Section 130.110~~ of this Part~~. The application shall consist of the following:

1) Schedule E of Form BD listing each branch office in this State, if any;

2) An unaudited balance sheet for the applicant verified by the chief financial officer of the dealer or other person who holds a similar position as of a date not more than 60 days prior to the date that the application is deemed to be filed with the Securities Department and applicable computations which demonstrate compliance with Section 130.826 ~~of this Part~~ as of the date of the balance sheet;

3) One copy of the Illinois Form designating each principal of the dealer;

4) One copy of the Illinois Form setting forth the dealer's minimum net capital requirement;

5) If the applicant will not have its principal office in this State and intends to keep the records required under Section 130.825 ~~of this Part~~ outside of this State, one copy of the Illinois Form requesting a waiver of the requirement to maintain its records in this State;

6) Page (2) of Form U4~~U-4~~ for each officer and director of the dealer, except that for applicants that are members of FINRA~~the NASD~~, ~~such~~ page (2) need only be submitted for those officers and directors for whom a Form U4~~U-4~~ has not been filed with the Securities Department on the behalf of the applicant through the CRD; and

7) Any other information or document that the Securities Department may require to determine the dealer's business repute or to clarify statements made in the application for registration.

c) Each person applying for registration as a dealer shall give evidence of competency to engage in the business of dealing in, buying or selling securities by providing the Secretary of State with proof of obtaining a passing score on~~ one of~~ the examinations listed in Section 130.822 ~~of this Part by a score of 70% correct~~, to demonstrate to the Secretary that the principal or principals have sufficient knowledge of the securities business and the laws relating to that business~~ thereto~~. In the case of a person, other than a natural person, filing an application for registration as a dealer, all of the principals who, on behalf of the applicant, participate in or are responsible for the sale of securities in this State are required to take such an examination on behalf of the applicant. Each registered dealer shall amend the list not later than 10~~ten~~ business days after any change of any principal or principals.

d) At or prior to registration of the dealer, there must be on file with the Securities Department, whether through the CRD or otherwise, the following:

1) Proof of passing one or more of the requisite examinations listed in Section 130.822 ~~of this Part~~ for each principal required to take the examinations required by~~such examination pursuant to~~ subsection (c)~~ of this Section~~, unless the Secretary issues~~shall have issued~~ an Order waiving the~~such~~ examination requirements pursuant to Section 130.823 ~~of this Part~~ and Section 8.B(9) of the Act;

2) Form U4~~U-4~~ for each officer and director or each other person performing a similar function of the applicant who is required to register as a salesperson as provided in this Section, and a page (2) of Form U4~~U-4~~ for each other officer or director of the applicant;

3) Any and all amendments required to the application and documents filed pursuant to subsection (a)~~ of this Section~~, whether as the result of a change in the information provided since the date of filing~~,~~ or otherwise; and

4) In the case of a dealer that~~which~~ is not a member of FINRA~~the NASD~~, an application for registration of a salesperson on Form U4~~U-4~~. The Securities Department shall grant concurrent registration of a salesperson

pursuant to such application upon the registration of the dealer unless the~~such~~ dealer is ineligible for registration under Section 8.E(1) of the Act. At least one salesperson must have a registration pending on behalf of a dealer that~~which~~ is a FINRA~~an NASD~~ member with the Securities Department prior to the grant of registration. Notwithstanding the foregoing, any dealer that~~which~~ effects trades solely as a clearing dealer on behalf of other dealers need not register any salesperson.

e) The application and documents on file with the Securities Department with respect to the dealer shall be amended from time to time whenever a change occurs that~~which~~ renders the information contained in the document~~therein~~ not accurate in any material respect. The~~Such~~ amendment shall be filed with FINRA~~the NASD~~ if the dealer is a member of FINRA~~the NASD~~, or with the Securities Department if the dealer is not a member of FINRA~~the NASD~~, within 10~~ten~~ business days after the occurrence of the change.

f) For the limited purpose of this Section and solely to implement a supplemental procedure known as the CRD, a computer based registration system, for the registration and re-registration of dealers and salespersons, the term "in the Office of the Secretary of State", as used in Sections 8.B and 8.C of the Act, and "with the Secretary of State", as used in Section 8.H of the Act, and "with the Securities Department", as used in Section 130.820 of this Part, shall include a filing made with FINRA~~the NASD~~ utilizing the single automated system referred to in this subsection~~hereinabove~~ as the CRD.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.820 Procedures for Renewal and Withdrawal from Registration as a Dealer

a) If a registered dealer elects to withdraw its registration in this State, it shall file a Form BDW with FINRA~~the NASD~~ if the dealer is a member of FINRA~~the NASD~~, or with the Securities Department if the dealer is not a member of FINRA~~the NASD~~, indicating its~~such~~ intent.

b) If a registered dealer wishes to renew its registration, it shall file the renewal fee as specified in Section 130.110 ~~of this Part~~ with FINRA~~the NASD~~ if the dealer is a member of FINRA~~the FINRANASD~~, or with the Securities Department if the dealer is not a member of FINRA~~the NASD~~. Any amended Form BD shall also be filed with FINRA~~the NASD~~ if the dealer is a member of FINRA~~the NASD~~, or

with the Securities Department if the dealer is not a member of FINRA~~the NASD~~, within 30 days if any material changes occur in the information that was filed with the Securities Department when the dealer applied for registration.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.821 Reporting of Dealer Branch Office~~Officer~~ Locations and Required Fees

a) Each applicant for registration as a dealer shall file Form BR on the CRD system setting forth the address of each branch office in this State as defined in Section 130.280. The applicant for registration as a dealer shall pay the fee in the amount specified in Section 130.110~~ of this Part~~ for each branch office in this State.

b) Each registered dealer shall file or have filed Form BR on the CRD system on or before December 31 annually setting forth the address of each branch office and pay to the Securities Department in Springfield a fee in the form and amount specified in Section 130.110~~ of this Part~~ for each branch office in this State.

c) No registration of a dealer shall become effective until a separate Form BR of the dealer's branch offices in this State, if any, has been filed on the CRD system and the fee, if any, has been paid.

d) The registered dealer shall amend its application for registration by filing on the CRD system an amended Form BR or initial Form BR within 10~~ten~~ business days after:

1) the opening of any branch office in this State not previously reported; and

2) the closing of any branch office in this State.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.822 Examinations Deemed Satisfactory for Purposes of Determining Sufficient Knowledge of Each Principal Under Section 8.B(9)(a) of the Act Prior to Registration as a Dealer

a) Passage of the Series 24 (formerly Series 40 or Series 00) (General Securities Principal Examination) together with either~~and~~ the Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination)

conducted by FINRA~~the NASD~~ shall qualify a principal or principals of legal age in this State on behalf of a registered dealer without limitation in this State.

b) Passage of the Series 26, 39 or 53 Examination together with either~~and~~ the Series 63 Examination (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) conducted by FINRA~~the NASD~~ shall qualify by examination a principal or principals of legal age in this State on behalf of a registered dealer for registration in a limited capacity in this State.

1) The Series 26 Examination (Investment Company/Variable Contracts Products (ICVC) Principal Examination) together with either the~~and~~ Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) shall qualify the registered dealer to offer or sell variable annuities or securities issued by investment companies.

2) The Series 39 (Direct Participation Programs Principal (DPP) Examination) together with either the~~and~~ Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) shall qualify the registered dealer to offer or sell direct participation programs in the form of limited partnerships or joint venture interests in tax shelter programs.

3) The Series 53 (Municipal Securities Principal Examination) together with either the~~and~~ Series 63 (Uniform Securities Act Law Examination) or Series 66 (Uniform Combined State Law Examination) shall qualify the registered dealer to offer or sell securities of municipalities or industrial development revenue obligations.

c) Passage of the Series 8 (General Securities Sales Supervisor Examination or Branch Office Manager (NYSE) Examination) conducted by FINRA~~the NASD~~ shall qualify a principal or principals of legal age in this State on behalf of a registered dealer pursuant to the limitations set forth by FINRA~~the NASD~~.

d) All scheduling for the examinations referred to in subsections (a), (b) and (c)~~ of this Section~~ shall be made with, and fees paid to, an office of FINRA~~the NASD~~. The applicant for registration as a dealer shall submit in writing satisfactory evidence of passing the examination prior to registration in this State if that~~such~~ information is not available to the Securities Department through the CRD.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.823 Procedure for Requesting Waiver of Dealer, Salesperson, Investment Adviser, Investment Adviser Representative, or Principal Examination Requirements

a) If a person applying for registration as a dealer, salesperson, investment adviser, investment adviser representative, or principal seeks a waiver of the examination requirements as provided in Section 8 of the Act, the request for the waiver shall be in writing on a form and in the manner prescribed by the Secretary.

b) The request for the waiver of the examination requirement shall contain the following information:

1) The business name and address of the dealer (or investment adviser for investment adviser and investment adviser representative applicants or federal covered investment adviser for investment adviser representative applicants) with which the applicant is or will be associated;

2) The official title and connection of the applicant with the dealer (or federal covered investment adviser or investment adviser);

3) The applicant's legal name;

4) The applicant's business address and telephone number;

5) The applicant's residential address and telephone number;

6) The applicant's date of birth;

7) A list of any other names the applicant has used including the dates used, the reason for the name change, and the date the applicant's present name was adopted;

8) The amount of ownership of capital stock or partnership interest of the dealer (or investment adviser) with which~~that~~ the applicant is associated ~~with~~;

9) The nature and tenure of each job the applicant currently holds or has held

for 10~~ten~~ years prior to the date of the waiver request. In addition, investment adviser applicants must provide the total aggregate dollar value of investment advisory accounts serviced, whether the applicant had discretionary authority over the accounts, and the total percentage of institutional accounts the applicant serviced of those entities enumerated in Section 4.C of the Act;

10) The applicant's educational history including degrees received;

11) Any professional certifications or designations;

12) Any FINRA~~NASD~~ or related examinations taken by the applicant;

13) The name, address and business affiliation of three persons to whom the Secretary may address inquiries regarding experience, qualification and standing of the applicant; and

14) A list of where the applicant has been licensed or registered as a dealer, salesperson or investment adviser, including the state or licensing agency, the type of license or registration and the period during which the registration was effective.

c) The request shall be signed and notarized. By signing the waiver request, the applicant is attesting to the following (unless a detailed explanation is attached):

1) The applicant has never had any license or registration as a dealer, investment adviser, investment adviser representative or salesperson, suspended, cancelled or revoked after notice and opportunity for hearing;

2) The applicant has never been temporarily or permanently enjoined from acting as an investment adviser, investment adviser representative, federal covered investment adviser, federal covered investment adviser representative, dealer, salesperson or employee thereof or from engaging in or continuing any conduct or practice in connection with activity as an investment adviser, investment adviser representative, federal covered investment adviser, federal covered investment adviser representative, dealer, salesperson, employee thereof or employee of any investment company, financial institution or insurance company after notice and opportunity for hearing;

3) The applicant has never been convicted of any felony or misdemeanor involving the purchase or sale of any securities or arising out of any conduct as an investment adviser, investment adviser representative, federal covered investment adviser, federal covered investment adviser representative, dealer, salesperson, employee thereof or employee of any investment company, financial institution or insurance company;

4) The applicant has never been permanently or temporarily enjoined from the issuance, offering for sale, sale, promotion, negotiation, advertising or distribution of securities;

5) The applicant has never been named as a defendant in any proceeding arising from a complaint alleging a fraudulent act in any transaction of any kind or character;

6) The applicant has never been found by any state or federal board, body, department or commission to have willfully made any untrue statement of a material fact in any application for registration or license as a dealer, investment adviser or salesperson or in any report required to be filed with the subject body, board, department or commission or under the Federal 1934 Act or to have willfully omitted to state in the~~such~~ application or report any material fact that~~which~~ is required to be stated in an application or report ~~therein~~; and

7) The applicant has never been disbarred or suspended from the practice of any profession.

d) After the Securities Department receives the request, the request shall be granted or denied based upon criteria that~~which~~ includes, but is not limited to, ~~the following:~~ education, years of experience in the securities business, past disciplinary history, and prior registration with the SEC, any state securities regulator, or FINRA~~the NASD~~. The applicant shall be informed in writing of the Securities Department's decision.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.826 Registered Dealer Net Capital Requirements

a) Each dealer registered under Section 8 of the Act shall at all times have and maintain net capital no less than the greater of the higher minimum requirement applicable to its ratio requirement under 17 CFR 240.15c3-1 ~~as in effect on~~ (May 31, 2011)~~January 1, 1997 (no subsequent amendments or editions)~~. No dealer electing to use the alternative standard shall permit its net capital to be less than the greater of the amount set forth in 17 CFR 240.15c3-1 ~~as in effect on~~ (May 31, 2011)~~January 1, 1997 (no subsequent amendments or editions)~~ or 2 percent of the aggregate debit items computed in accordance with 17 CFR 240.15c3-3 ~~as in effect on~~ (May 31, 2011)~~January 1, 1997 (no subsequent amendments or editions)~~.

b) In addition to meeting the requirement set forth in subsection (a)~~ of this Section~~, a dealer subject to the aggregate indebtedness standard of net capital computation shall maintain the amount specified in 17 CFR 240.15c3-1 ~~as in effect on~~ (May 31, 2011)~~January 1, 1997 (no subsequent amendments or editions)~~.

c) Each dealer shall make the applicable computations set forth in subsection (a) ~~of this Section~~ in accordance with the provisions of 17 CFR 240.15c3-3 ~~in effect on~~ (May 31, 2011)~~January 1, 1997 (no subsequent amendments or editions)~~ and shall preserve the~~such~~ computations as part of the records required by Section 130.825 ~~of this Part~~.

d) The Secretary may exempt a dealer from the requirements of this Section because of the special nature of business or financial position of the dealer and the safeguards that have been established for the protection of customers' funds and securities, and it is not necessary in the public interest or for the protection of investors for the dealer to be subject to the requirements of this Section.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.827 Confirmations

Every dealer, at or before the completion of each transaction with the dealer's customer, shall give or send to the customer written confirmation disclosing:

a) whether the dealer is acting as agent for the customer, or as a dealer for the dealer's own account, or as an agent for some other person;

b) either the name of the person from whom the security was purchased or to whom

it was sold for the customer, and the date and time when the transaction took place or the fact that the information will be furnished upon the request of the customer and the source and amount of any commission or other remuneration received or to be received by the dealer in connection with the transaction; and

c) in the case of transactions effected in securities that~~which~~ are non~~-NASD~~ National Market System OTC Securities in reliance upon Section 4(N) of the Act, a statement to the effect that the transaction was effected pursuant to an unsolicited order or offer to buy by the customer, and requesting that the customer return to the dealer a written acknowledgment that the order or offer to buy was unsolicited.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.829 Investor Protection Requirement of a Dealer Registered Under Section 8 of the Act

a) Each dealer registered or re-registered with the Secretary under Section 8.B of the Act shall be a member in good standing of FINRA~~the NASD~~, as evidenced by~~such as~~ not being under suspension or revocation or having failed to pay dues or assessments; or

b) Each dealer registered or re-registered with the Secretary under Section 8.B of the Act shall be a member in good standing of the Securities Investor Protection Corporation as established in the Securities Investor Protection Act of 1970 (15 USC~~U.S.C.~~ 78aaa et seq.), as amended, as evidenced by~~such as~~ not being under suspension or revocation or having failed to pay dues or assessments, or ~~such~~ other equivalent instrumentality of or corporation chartered by the United States that~~which~~ provides investor protection as authorized under federal law, except for the following dealers if they do not hold clients' cash or securities:

1) A dealer whose principal business in the Securities Investor Protection Corporation's determination is conducted outside the United States, its possessions and territories;

2) Any bank (other than a bank organized under the banking laws of the State of Illinois or of the United States) registered as a municipal securities dealer with the SEC, pursuant to 17 CFR 240.15Ba~~(~~2-1~~)~~, ~~as in effect on~~ (May 31, 2011)~~January 1, 1996 (no subsequent amendments or editions)~~;

3) A government securities dealer registered under 17 CFR 240.15C~~(~~a~~)(~~1-1~~)(A)~~, ~~as in effect on~~ (May 31, 2011)~~January 1, 1996 (no subsequent amendments or editions)~~; and

4) A dealer whose business consists exclusively of one or more of the following:

A) the distribution of shares of registered open end investment companies or unit investment trusts registered under Section 8 of the Federal 1940 Investment Company Act, as defined in Section 130.200 of this Part, Section 5 of the Federal 1933 Act, as defined in Section 130.200 of this Part, and Section 5 or 7 of the Act;

B) the sale of variable annuities;

C) the business of insurance; or

D) the business of rendering investment advisory services to one or more investment companies registered under the Federal 1940 Investment Company Act, as defined in Section 130.200~~ of this Part~~, or to insurance company separate accounts.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.832 Examinations Deemed Satisfactory for Purposes of Determining Sufficient Knowledge Under Section 8.C(7) of the Act for Registration as a Salesperson

a) Passage of the Series 63 or Series 66 examination, together with either the~~and~~ Series 1, 2, 7, 37, 38, 17 or 47 examination conducted by FINRA, shall qualify a natural person who is 18 years of age for registration on behalf of a dealer, controlling person or issuer as a salesperson without limitation in this State.

b) Passage of the Series 63 or Series 66 examination, together with either the~~and~~ Series 6, 22, 52, 62 or 79 examination conducted by FINRA, shall qualify by examination a natural person who is 18 years of age for registration as a salesperson in a limited capacity in this State, as follows:

1) The Series 6 (Investment Company/Variable Contract Products (ICVC)

Representative Examination), together with either~~and~~ the Series 63 or Series 66 examination, shall qualify a salesperson to offer or sell securities issued by investment companies and variable contracts.

2) The Series 22 examination (Direct Participation Program Limited Representative Qualification Examination), together with either~~and~~ the Series 63 or Series 66 examination, shall qualify a salesperson to offer or sell direct participation programs in the form of limited partnerships or joint venture interests in tax shelter programs.

3) The Series 52 examination (Municipal Securities Representative Examination), together with either~~and~~ the Series 63 or Series 66 examination, shall qualify a salesperson to offer and sell securities of municipalities and industrial development revenue obligation.

4) The Series 62 Examination (Corporate Securities Representative Examination), together with either the Series 63 or Series 66 examination, shall qualify a salesperson to offer and sell corporate securities and bonds, real estate investment trusts and mortgage investment trusts.

5) The Series 79 Examination (Investment Banking Representative Examination), together with ~~and~~ either the Series 63 or Series 66 examination, shall qualify a salesperson to deal exclusively in investment banking.

c) All scheduling for the examinations referred to in subsections (a) and (b) of this Section shall be made with and fees paid to an office of FINRA. The dealer, controlling person or issuer on whose behalf the salesperson is being registered shall submit in writing satisfactory evidence of passing the examination prior to registration of that~~such~~ person in the State if the~~such~~ information is not available to the Securities Department through the CRD.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.838 Procedures for Federal Covered Investment Adviser Notification Filing and Fees Under Section 8.C-5 of the Act

a) Federal covered investment advisers shall file with FINRA~~the NASD~~, utilizing the IARD, Form ADV. The federal covered investment adviser shall also pay the

filing fee specified in Section 130.110~~ of this Part~~.

b) For purposes of annual notification filing, a federal covered investment adviser shall file with FINRA~~the NASD~~, utilizing the IARD. The federal covered investment adviser shall also pay the filing fee specified in Section 130.110~~ of this Part~~.

c) Amendments to Form ADV shall be filed with FINRA~~the NASD~~, utilizing the IARD.

d) In the event the federal covered investment adviser changes the form of its organization, it shall pay the fee specified in Section 130.110~~ of this Part~~.

e) A federal covered investment adviser that is no longer eligible for SEC registration shall file an amendment to Form ADV with the SEC and FINRA~~the NASD~~, utilizing the IARD, indicating it is no longer eligible for SEC registration.

f) In the event the notification or the full amount of fees required by this Section is not filed with or paid to the Secretary of State, the Secretary of State shall notify the federal covered investment adviser of the~~such~~ deficiency in writing, or by facsimile or electronic transmission (provided that the Securities Department can demonstrate in the normal course of its business that the notice was delivered or transmitted to and received by the federal covered investment adviser or its designee). In the event the federal covered investment adviser fails to remedy the deficiency within 10~~ten~~ business days after receiving notice of the~~such~~ deficiency from the Secretary of State, the Secretary of State may deem the failure to remedy~~such~~ as a refusal and require the federal covered investment adviser to register pursuant to ~~subsections A and D of~~ Section 8.A and 8.D~~8~~ of the Act.

g) For the limited purpose of this Section and solely for the filings and/or fees submitted to the IARD, the terms "with the Secretary of State" as used in Section~~Sections~~ 8.C-5, 8.D, 8.D-5 and 8.H of the Act and "with the Securities Department" as used in this Section shall include a filing and/or fee made with FINRA,~~the NASD~~ utilizing the IARD.

h) Annual Notifications
~~Proration. Fees paid with annual notifications filed in the calendar year 2001 (except late filing fees, if any) shall be prorated based upon the number of months~~

~~remaining in calendar year 2001.~~ All annual notifications ~~filed in the calendar year 2001~~ shall expire at the end of the day on December 31 annually~~, 2001~~. ~~Beginning in the calendar year 2002, all filings shall be on a calendar year basis.~~

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.839 Procedures for Registration as an Investment Adviser Representative Under Section 8.D-5 of the Act

a) Effective October 1, 2002, each new applicant filing as an investment adviser or federal covered investment adviser shall file with FINRA~~the NASD~~, utilizing the CRD~~IARD~~, a complete Form U4~~U-4~~ for each investment adviser representative and pay the filing fee specified in Section 130.110~~ of this Part~~.

b) For purposes of the annual re-registration of investment adviser representatives, each investment adviser and federal covered investment adviser shall file with FINRA~~the NASD~~, utilizing the CRD~~IARD~~, and pay the filing fee specified in Section 130.110~~ of this Part~~.

c) For the purposes of this Section, an investment adviser representative of a federal covered investment adviser shall mean any partner, officer, director (or other person occupying a similar status or performing similar functions), or an employee of a federal covered investment adviser, or any other person who provides investment advice on behalf of the federal covered investment adviser and is subject to the supervision and control of the federal covered investment adviser, if~~: 1)~~more than 10~~ten~~ percent of the~~such~~ person's clients are natural persons, other than sophisticated clients; and ~~2)~~the~~such~~ person has a place of business in the State of Illinois. As used in this subsection, the term "sophisticated client" shall mean a natural person who, immediately after entering into the investment advisory contract with the federal covered investment adviser, has at least $500,000 under management with the federal covered investment adviser or the federal covered investment adviser reasonably believes, immediately prior to entering into the advisory contract, the person has a net worth (together with assets held jointly with a spouse) at the time the contract is entered into of more than $1,000,000.

d) The application on file with the Securities Department shall be amended whenever a change occurs that renders inaccurate any information contained in the application. The amendment shall be filed with FINRA~~the NASD~~, utilizing

the CRD~~IARD~~, within 10~~ten~~ business days after the occurrence of the change.

e) In the event the investment adviser representative's activities are terminated, the investment adviser shall file a Form U5~~U-5~~ with FINRA~~the NASD~~, utilizing the CRD~~IARD~~, within 30 days after the termination.

f) In the event the investment adviser representative transfers registration from one investment adviser or federal covered investment adviser to another investment adviser or federal covered investment adviser, the new investment adviser or federal covered investment adviser shall file a Form U4~~U-4~~ with FINRA~~the NASD~~, utilizing the CRD~~IARD~~, and pay the filing fee specified in Section 130.110~~ of this Part~~.

g) For the limited purpose of this Section and solely for filings and/or fees submitted to the CRD or IARD, the terms "with the Secretary of State", as used in Section~~Sections~~ 8.C-5, 8.D, 8.D-5 and 8.H of the Act and "with the Securities Department", as used in this Section, shall include a filing and/or fee made with FINRA,~~the NASD~~ utilizing the CRD or IARD.

h) Re-registration
~~Proration. Filing fees paid with the annual re-registration of each investment adviser representative filed in the calendar year 2001 (except late filing fees, if any) shall be prorated based on the number of months remaining in calendar year 2001.~~ All annual re-registrations of investment adviser representatives ~~filed in the calendar year 2001~~ shall expire at the end of the day on December 31 annually~~, 2001. Beginning in calendar year 2002, all annual re-registrations of investment adviser representatives shall be on a calendar year basis~~.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.840 Procedures for Registration as an Investment Adviser Under Section 8.D of the Act

a) Effective October 1, 2002, each new applicant for registration as an investment adviser shall file with FINRA~~the NASD~~, utilizing the IARD, a complete and current application and pay the filing fee and branch office fee, if any, specified in Section 130.110~~ of this Part~~. The application shall consist of the following:

1) The Revised Uniform Application for Investment Adviser Registration

required by 17 CFR 279.1 ~~as in effect on~~ (May 31, 2011)~~October 10, 2000 (no subsequent amendments or editions)~~ including Schedule D, which lists~~thereto listing~~ all branch offices in this State, if any;

2) One copy of Form U4~~U-4~~ for each investment adviser representative on behalf of the applicant and pay the fee specified in Section 130.110~~ of this Part~~.

b) Each applicant for registration as an investment adviser, in addition to the filings required under subsection (a)~~ of this Section~~, shall file with the Securities Department the following:

1) A balance sheet for the investment adviser as of a date not more than 60 days prior to the date of the filing of the application. The balance sheet shall be verified and executed by the chief financial officer of the investment adviser, if any, or other person performing a similar function and must contain:

A) an affirmation that the information is true and correct; and

B) a statement disclosing whether the investment adviser retains, or during the term of registration will retain, custody of any client's cash or securities or accept pre-payment of fees in excess of $500 per client and six or more months in advance;

2) One copy of page one of the applicant's most recent Articles of Incorporation or, if a partnership, certificate of assumed name or similar document evidencing the legal name of the applicant;

3) At or prior to registration of the investment adviser, there shall be on file with the Securities Department, whether through the CRD, IARD or otherwise, the following:

A) Proof of passing one or more of the requisite examinations, certifications or designations listed in Section 130.842 ~~of this Part~~ for each required principal, unless the Secretary issues~~shall have issued~~ an order waiving this~~such~~ requirement pursuant to Section 8.D of the Act; and

B) Any ~~and all~~ amendments ~~required~~ to the application and documents filed pursuant to ~~this~~ subsection (a), whether as a result of a change in the information provided since the date of filing or otherwise;

4) One copy of Form U4~~U-4~~ for each investment adviser representative who renders investment advice in this State on behalf of the applicant and the fee specified in Section 130.110~~ of this Part~~;

5) One copy of the Illinois Form containing an attestation that the investment adviser has not previously rendered investment advice for compensation in this State, or setting forth a claim of exemption or exclusion;

6) One copy of a written statement manually executed by an officer, partner or principal of the registered dealer consenting to the dual registration as investment adviser and salesperson, if registered as a salesperson in this State; and

7) One copy of Part II of the Revised Uniform Application for Investment Adviser Registration (Form ADV) required by subsection (a)(1)~~ of this Section~~.

c) The application and documents on file with the Securities Department with respect to the investment adviser shall be amended from time to time whenever a change occurs that renders any material information contained in those documents~~therein~~ not accurate in any material respect. The~~Such~~ amendment shall be filed with FINRA~~the NASD~~, utilizing the IARD, within 10~~ten~~ business days after the occurrence of the change.

d) For purposes of this Section, material information includes, but is not limited to:

1) the name and address of the investment adviser;

2) type of business organization of the investment adviser;

3) disciplinary action concerning the investment adviser;

4) whether the investment adviser has custody of clients' funds or securities or accepts pre-payment of in excess of $500;

5) whether the investment adviser has discretion over clients' portfolios; or

6) whether the investment adviser will give clients Part II of the Uniform Application for Investment Adviser Registration required by subsection (a)(1) ~~of this Section~~ or another document containing the same information.

e) For the limited purpose of this Section and solely for the filings and/or fees submitted to the IARD, the terms "with the Secretary of State", as used in Section~~Sections~~ 8.C-5, 8.D, 8.D-5 and 8.H of the Act, and "with the Securities Department", as used in this Section, shall include a filing and/or fee submitted to FINRA,~~NASD~~ utilizing the IARD.

f) Annual Re-registration
~~Proration. Filing fees paid with annual re-registration filed in the calendar year 2001 (except late filing fees, if any) shall be prorated based upon the number of months remaining in the calendar year 2001.~~ All new registration applications and re-registration applications ~~filed in the calendar year 2001~~ shall expire at the end of the day on December 31 annually~~, 2001. Beginning in the year 2002, all filings shall be on a calendar year basis~~.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.841 Reporting of Investment Adviser Branch Office Locations and Required Fees

a) Each investment adviser shall file with the Securities Department with its application for registration a schedule setting forth the address of each branch office in this State as defined in Section 130.280~~ of this Part~~. A Schedule D of the Revised Uniform Application for Investment Adviser Registration required by Section 130.840(a)(1) ~~of this Part~~ disclosing each branch office in this State shall be accompanied by the payment of the fee in the form and amount specified in Section 130.110 ~~of this Part~~ for each branch office in this State.

b) Each registered investment adviser shall file or have filed with the Securities Department prior to re-registration a schedule setting forth the address of each branch office and pay to the Securities Department in Springfield a fee in the form and amount specified in Section 130.110 ~~of this Part~~ for each branch office in this

State.

c) No registration or re-registration of an investment advisor shall become effective until the~~such~~ schedule of the investment adviser's branch office has been filed with the Securities Department and the fee, if any, has been paid.

d) The registered investment adviser shall amend its application for registration by filing with the Securities Department in Springfield within 10~~ten~~ business days after:

1) the opening of any branch office in this State not previously reported,~~ and~~ setting forth the address of that branch office; and

2) the closing of any branch office in this State,~~ and~~ setting forth the address of that branch office.

e) For the limited purpose of this Section and solely for the filings and/or fees submitted to the IARD, the terms "with the Secretary of State" as used in Section~~Sections~~ 8.C-5, 8.D, 8.D-5, and 8.H of the Act, and "with Securities Department", as used in this Section, shall include a filing and/or fee submitted to FINRA,~~NASD~~ utilizing the IARD.

f) Annual Re-registration
~~Proration. Filing fees paid with annual re-registration filed in the calendar year 2001 (except late filing fees, if any) shall be prorated based upon the number of months remaining in the calendar year 2001.~~ All new registration applications and re-registration applications ~~filed in the calendar year 2001~~ shall expire at the end of the day on December 31 annually~~, 2001. Beginning in the year 2002, all filings shall be on a calendar year basis~~.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.842 Examinations and Education Programs Deemed Satisfactory for Purposes of Determining Sufficient Knowledge for Each Principal Under Section 8.D.(9) of the Act Prior to Registration as an Investment Adviser

a) Examination Requirements. Any person applying to be registered as an Investment Adviser principal under the Act shall provide the Secretary of State with proof of obtaining a passing score on one of the following examinations:

1) The Uniform Investment Adviser Law Examination (Series 65 examination); or

2) The General Securities Representative Examination (Series 7 examination) and the Uniform Combined State Law Examination (Series 66 examination).

b) Grandfathering:

1) Any person who is registered as an investment adviser in any jurisdiction in the United States on May 1, 2000 shall not be required to satisfy the examination requirements for continued registration, except that the Secretary of State may require additional examinations for any person found to have violated any state or federal securities law.

2) Any person who has not been registered in any jurisdiction for a period of two years shall be required to comply with the examination requirements of this Section.

c) Waivers. The examination requirements shall not apply to any person who currently holds one of the following professional designations:

1) Certified Financial Planner (CFP) awarded by the Certified Financial Planner Board of Standards, Inc.;

2) Chartered Financial Consultant (ChFC) awarded by the American College, Bryn Mawr, Pennsylvania;

3) Personal Financial Specialist (PFS) awarded by the American Institute of Certified Public Accountants;

4) Chartered Financial Analyst (CFA) awarded by the Institute of Chartered Financial Analysts;

5) Chartered Investment Counselor (CIC) awarded by the Investment Adviser Association~~Counsel Association of America, Inc.~~; or

6) Any~~Such~~ other professional designation as the Secretary of State may

recognize by rule or by an order under Section 8 of the Act~~815 ILCS 5/8~~.

d) Scheduling of the Series 7, 65 or 66 examination shall be arranged by the applicant and fees paid to FINRA~~the NASD~~.

e) The applicant shall submit in writing to the Securities Department satisfactory proof of the designation or certification referred to in subsection (c) ~~of this Section~~ prior to registration as an investment adviser.

f) No person shall be deemed to have sufficient knowledge to act as principal of an investment adviser in this State unless and until he or she is 18~~eighteen~~ years of age~~ in this State~~.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.843 Examination and Education Program Requirements for Registration as an Investment Adviser Representative Under Section 8.D-5 of the Act

a) Examination Requirements. Any person applying to be registered as an Investment Adviser Representative under the Act shall provide the Secretary of State with proof of obtaining a passing score on one of the following examinations:

1) The Uniform Investment Adviser Examination (Series 65 examination); or

2) The General Securities Examination (Series 7 examination) and the Uniform Combined State Law Examination (Series 66 examination).

b) Grandfathering:

1) Any person who is registered as an investment adviser in any jurisdiction in the United States on May 1, 2000 shall not be required to satisfy the examination requirements for continued registration, except that the Secretary of State may require additional examinations for any person found to have violated any state or federal securities law.

2) Any person who has not been registered in any jurisdiction for a period of two years shall be required to comply with the examination requirements of this Section.

c) Waivers. The examination requirements shall not apply to any person who currently holds one of the following professional designations:

1) Certified Financial Planner (CFP) awarded by the Certified Financial Planner Board of Standards, Inc.;

2) Chartered Financial Consultant (ChFC) awarded by the American College, Bryn Mawr, Pennsylvania;

3) Personal Financial Specialist (PFS) awarded by the American Institute of Certified Public Accountants;

4) Chartered Financial Analyst (CFA) awarded by the Institute of Chartered Financial Analysts;

5) Chartered Investment Counselor (CIC) awarded by the Investment Adviser Association~~Counsel Association of America, Inc.~~; or

6) Any~~Such~~ other professional designation as the Secretary of State may recognize by rule or by an order under Section 8 of the Act~~815 ILCS 5/8~~.

d) Scheduling of the Series 7, 65 or 66 examination shall be arranged by the applicant and fees paid to FINRA~~the NASD~~.

e) The applicant shall submit in writing to the Securities Department satisfactory proof of the designation or certification referred to in subsection (c)~~ of this Section~~ prior to registration as an investment adviser representative.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.846 Written Disclosure Statements of a Registered Investment Adviser

a) General Requirement~~requirement.~~
Unless otherwise provided in this Section, an investment adviser, registered or required to be registered pursuant to Section 8.D~~8(D)~~ of the Act, shall, in accordance with the provisions of this Section, furnish each advisory client and prospective advisory client with a written disclosure statement required by 17 CFR 275.204-3 ~~as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent~~

~~amendments or editions)~~.

b) Delivery~~.~~

1) An investment adviser, except as provided in subsection ~~(2) of this subsection~~ (b)(2), shall deliver the statement required by this Section to an advisory client or prospective advisory client:

A) not less than 48 hours prior to entering into any written or oral investment advisory contract with a~~such~~ client or prospective client; or

B) at the time of entering into a~~any such~~ contract, if the advisory client has a right to terminate the contract without penalty within five ~~(5)~~ business days after entering into the contract.

2) Delivery of the statement required by ~~subsection (1) of this~~ subsection (b)(1) need not be made in connection with entering into:

A) an investment company contract; or

B) a contract for impersonal advisory services.

c) Offer to Deliver~~deliver.~~

1) An investment adviser, except as provided in ~~subsection (2) of this~~ subsection (c)(2), annually shall, without charge, deliver or offer in writing to deliver upon written request to each of its advisory clients the statement required by this Section.

2) The delivery or offer required by ~~subsection (1) of this~~ subsection (c)(1) need not be made to advisory clients receiving advisory services solely pursuant to:

A) an investment company contract; or

B) a contract for impersonal advisory services requiring a payment of less than $200~~.00~~.

3) With respect to an advisory client entering into a contract or receiving advisory services pursuant to a contract for impersonal advisory services which requires a payment of $200~~.00~~ or more, an offer of the type specified in ~~subsection (1) of this~~ subsection (c)(1) shall also be made at the time of entering into an advisory contract.

4) Any statement requested in writing by an advisory client pursuant to an offer required by this subsection (c) must be mailed or delivered within seven ~~(7)~~ days after~~of~~ the receipt of the request.

d) Omission of Inapplicable Information~~inapplicable information.~~
If an investment adviser renders substantially different types of investment advisory services to different advisory clients, any information required may be omitted from the statement furnished to an advisory client or prospective advisory client if the~~such~~ information is applicable only to a type of investment advisory service or fee that~~which~~ is not rendered or charged, or proposed to be rendered or charged, to that client or prospective client as provided by 17 CFR 275.204-3 ~~as in effect on~~ (May 31, 2011)~~July 1, 1989 (no subsequent amendments or editions)~~.

e) Other Disclosures~~disclosures.~~
Nothing in this Section shall relieve any investment adviser from any obligation under~~pursuant to any provision of~~ the Act or this Part or other federal or State~~state~~ law to disclose any information to its advisory clients or prospective advisory clients not specifically required by this Section.

f) Definitions. For the purpose of this Section:

1) "Contract~~contract~~ for impersonal advisory services" means any contract relating solely to the provision of investment advisory services:

A) by means of written material or oral statements that~~which~~ do not purport to meet the objectives or needs of specific individuals or accounts;

B) through the issuance of statistical information containing no expression of opinion as to the investment merits of a particular security; or

C) any combination of the ~~foregoing~~ services listed in subsections

(f)(1)(A) and (B);.

2) "Enteringentering into," in reference to an investment advisory contract, does not include an extension or renewal without material change of any such contract thatwhich is in effect immediately prior to thesuch extension or renewal; and

3) "Investmentinvestment company contract" means a contract with an investment company registered under the Federal 1940 Investment Company Act that of 1940 which meets the requirements of sectionSection 15(c) of that Act, as defined in Section 130.200 of this Part.

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

Section 130.852 Compensation

a) No registered investment adviser or its representatives shall charge or receive compensation in connection with the giving of investment advice unless thesuch compensation is fair and reasonable and is determined on an equitable basis adequately disclosed to each client in writing.

b) No registered investment adviser or its representatives shall charge or receive compensation in connection with the giving of investment advice thatwhich provides for compensation to the investment adviser or its representative on the basis of a share of the capital gains upon, or the capital appreciation of, the funds, or any portion of the funds, of a client, unless thesuch fees are charged in conformance with the provisions set forth in 17 CFR 275.205-3, as in effect on (September 19, 2011)January 1, 1997 (no subsequent amendments or editions).

(Source: Amended at 36 Ill. Reg. 2852, effective February 8, 2012)

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

1) Heading of the Part: Minimum Safety Standards for Construction of Multifunction School Activity Buses

2) Code Citation: 92 Ill. Adm. Code 435

3)

Section Numbers:	Adopted Action:
435.10	New Section
435.20	New Section
435.30	New Section
435.APPENDIX A	New Section
435.APPENDIX B	New Section
435.APPENDIX C	New Section
435.APPENDIX D	New Section
435.APPENDIX E	New Section
435.APPENDIX F	New Section
435.APPENDIX G	New Section
435.APPENDIX H	New Section
435.APPENDIX I	New Section
435.APPENDIX J	New Section

4) Statutory Authority: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812]

5) Effective Date of Rules: February 10, 2012

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's Division of Traffic Safety and Office of Chief Counsel and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: August 26, 2011; 35 Ill. Reg. 14271

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between Proposal and Final Version: Several grammatical corrections were made in agreement with JCAR. Pursuant to public comment, the definition of "MFSAB" was rewritten to reflect the statutory amendment, as prescribed by Public Act 97-378, to allow an MFSAB to transport 11 or more persons and no longer limits the passenger capacity to 15.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements 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 the Rules: The Department established construction standards specific to multifunction school activity buses (MFSAB) pursuant to PA 96-410, effective July 1, 2010, and PA 97-378, effective August 15, 2011.

PA 96-410 prohibits the use of 11 to 15 passenger vans and permits the use of an MFSAB (designed to transport 11 to 15 persons, including the driver) for an interscholastic, interscholastic-athletic, or school sponsored, non-curriculum-related activity that (i) does not require student participation as part of the educational services of the entity and (ii) is not associated with the students' regular class-for-credit schedule. The Public Act does not apply to any second division vehicle used for a parade, homecoming, or a similar non-curriculum-related school activity. PA 97-378, effective August 15, 2011, allows an MFSAB to transport 11 or more passengers, thereby no longer limiting the passenger capacity to 15. PA 96-410 also establishes specific lettering (i.e., marking) requirements and prohibits an MFSAB from being painted school bus yellow and from being equipped with a stop signal arm panel and an eight-lamp flashing signal system.

At Section 435.20, Incorporation by Reference, the Department has incorporated all applicable Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571) as of October 1, 2011, the most current edition of the FMVSS. The National Highway Traffic Safety Administration (NHTSA) requires MFSAB to meet all FMVSS applicable to school buses, except stop signal arm panel and eight-lamp flashing signal system. Since the Department's rules at 92 Ill. Adm. Code 440, Minimum Safety Standards for Construction of Type I School Buses, apply only to traditional yellow school buses, the Department promulgated this new Part, pursuant to the Public Act, to prescribe construction standards for the MFSAB.

Currently, school districts and contractors that purchase an MFSAB can request, as additional equipment, components that are required on yellow school buses, but they are not required to do so. By this rulemaking, the Department is requiring that, in the interest of public safety, an MFSAB manufactured for use in Illinois after the effective date of this Part, must be equipped with the same safety equipment required on a school bus with the exception of the equipment prohibited by PA 96-410 (stop signal arm panel, 8-light flashing signal system and school bus yellow paint). The additional equipment that the Department, in its discretion, is requiring includes: crossing control arm, fire extinguisher, first aid kit, noise suppression switch, radio speaker location, rub rails, strobe lamp, two-way radio or cell phone, and vehicle length posted on bulkhead. The Department has prescribed a July 1, 2012 manufacturers' compliance date. Therefore, as of July 1, 2012, the construction standards for an MFSAB will be similar, but not identical, to the standards for a type I school bus. By this Notice, the following components are either required or optional equipment on an MFSAB manufactured for use in Illinois on or after July 1, 2012.

Air Cleaner
Aisle
Alternator (Generator)
Barrier, Guard
Battery or Batteries
Battery Compartment (optional)
Brakes
Bumper, Front and Rear
Child Check System (optional)
First Aid Kit
Floor and Floor Covering
Frame and Body
Fuel System
Grab Handles
Heaters
Horn
Instruments and Instrument Panel
Insulation
Lettering
Lights
Locked Compartment (optional)
Mirrors
Communication Device
Crossing Control Arm
Drive Shaft
Electrical System Wiring
Emergency Exits
Entrance Door
Exhaust System
Filter, Oil
Fire Extinguisher
Seat, Driver's
Seats, Passenger
Shock Absorbers
Steering System
Steps, Entrance
Stop Signal Arm Panel (not applicable)
Storage Compartment (optional)
Sun Visor
Suspension and Springs
Tow Hooks (optional)
Trash Container (optional)
Undercoating

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Paint Requirements	Ventilation
Pedals (Accelerator and Brake)	Warning Devices
Projections	Wheels
Radio Speakers	Windows
Reflectors	Windshield Washer
Rub Rails	Windshield Wipers
Seat Belts	

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

Ms. Catherine Allen
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212

217/785-3031

By Messenger or Inter-Agency Mail:

IDOT/Division of Traffic Safety
1340 N. 9th Street
Springfield, Illinois

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

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 435
MINIMUM SAFETY STANDARDS FOR CONSTRUCTION
OF MULTIFUNCTION SCHOOL ACTIVITY BUSES

Section

435.10 Purpose, Scope and Implementation Date
435.20 Incorporation by Reference of Federal Regulations
435.30 Definitions
435.APPENDIX A Air Cleaner through Battery and Battery Compartment
435.APPENDIX B Brakes through Drive Shaft
435.APPENDIX C Electrical System Wiring through Filter, Oil
435.APPENDIX D Fire Extinguisher through Fuel System
435.APPENDIX E Grab Handles through Insulation
435.APPENDIX F Lettering through Paint Requirements
435.APPENDIX G Pedals through Seat, Driver's
435.APPENDIX H Seats, Passenger through Storage Compartment (optional)
435.APPENDIX I Sun Visor through Undercoating
435.APPENDIX J Ventilation through Windshield Wipers

AUTHORITY: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch.12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812].

SOURCE: Adopted at 36 Ill. Reg. 2924, effective February 10, 2012.

Section 435.10 Purpose, Scope and Implementation Date

This Part prescribes the requirements of the Illinois Department of Transportation (Department) governing the construction of multifunction school activity buses (MFSAB) that are manufactured on or after July 1, 2012. These standards are applicable to MFSAB that are owned or operated by, or for, school districts or school bus contractors.

Section 435.20 Incorporation by Reference of Federal Regulations

a) Each multifunction school activity bus must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.1 through 571.404). Those applicable provisions of the FMVSS are incorporated by reference as that part of the FMVSS was in effect on October 1, 2011. No later amendments to or editions of 49 CFR 571 are incorporated.

b) Each multifunction school activity bus must conform to the applicable provisions of 49 CFR 567, Certification, and 49 CFR 568, Vehicles Manufactured in Two or More Stages, that were in effect on the first day of the month in which the chassis manufacturer completed the last manufacturing operation on the incomplete bus. Those applicable provisions are incorporated by reference as they were in effect on October 1, 2011. No later amendments to or editions of 49 CFR 567 and 49 CFR 568 are incorporated.

c) Each multifunction school activity bus must conform to the applicable Standards and Recommended Practices of the Society of Automotive Engineers Handbook (Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale PA 15096-0001, 724/776-4841). Those applicable provisions of the SAE Standards and Recommended Practices are incorporated by reference as of the 2005 edition date. No later amendments to or editions of the SAE Standards and Recommended Practices are incorporated.

d) Copies of the materials incorporated by reference are available for inspection at the Division of Traffic Safety, 1340 North Ninth Street, Springfield, Illinois 62702 or by calling 217/785-1181. The federal standards are available on the National Archives and Records Administration's website at http://ecfr.gpoaccess.gov. The Division of Traffic Safety's rules are available on the Department's Highway and Traffic Safety Information website at http://www.dot.il.gov/safety.html.

Section 435.30 Definitions

"Body" means the portion of a bus that encloses the occupant and cargo spaces and separates those spaces from the chassis frame, engine compartment, driveline, and other chassis components, except certain chassis controls used by the driver.

"Body-on-Chassis" means a completed vehicle consisting of a passenger seating body mounted on a truck type chassis (or other separate chassis) so that the body and chassis are separate entities, although one may reinforce or brace the other.

"Bus" means *every motor vehicle, other than a commuter van, designed for carrying more than ten persons.* (Section 1-107 of the Code)

"Chassis" means *every frame or supportive element of a vehicle whether or not a manufacturer's identification number, serial number, or other identifying numbers are present on said part.* (Section 1-111.1(b) of the Code)

"Code" means the Illinois Vehicle Code [625 ILCS 5].

"Commercial Vehicle Safety Section" means a section of the Bureau of Safety Programs of the Division of Traffic Safety, Illinois Department of Transportation.

"Department" means *the Department of Transportation of the State of Illinois, acting directly or through its duly authorized officers and agents.* (Section 1-115.05 of the Code)

"Division" means the Illinois Department of Transportation, Division of Traffic Safety.

"Empty Weight" means the unloaded vehicle weight; i.e., the weight of a vehicle with maximum capacity of all fluids necessary for operation of the vehicle but without cargo or occupant.

"FMVSS" means the rules and standards set forth in 49 CFR 571 and known as the Federal Motor Vehicle Safety Standards.

"Gross Vehicle Weight Rating" or "GVWR" means the value specified by the manufacturer as the loaded weight of the school bus. (See Section 1-124.5 of the Code.)

"Illinois Vehicle Equipment Law" means 625 ILCS 5/12-101 through 12-902.

"Manufacturer" (unless otherwise indicated at the point of use) means the person or organization whose name follows "MANUFACTURED BY" or "MFD BY" on the federal certification label.

"Multifunction School Activity Bus" or "MFSAB" means a school bus manufactured for the purpose of transporting 11 or more persons, including the

driver, whose purposes do not include transporting students to and from home or school bus stops. A MFSAB is prohibited from meeting the special requirements for school buses in Sections 12-801, 12-803, and 12-805 and subsection (a) of Section 12-802 of the *Code.* (Section 1-148.3a5 of the Code, as amended by PA 97-378, effective August 15, 2011)

"Passenger" means every occupant of the vehicle who is not the driver.

"Purchase Date" means the date when the purchase transaction was completed, not when the body or chassis was built.

"Seating Reference Point" means the unique design H-point, as defined in SAE J1100, that simulates the position of the pivot center of the human torso and thigh. Each school bus manufacturer utilizes different criteria to determine the specific seating reference point on passenger seats for vehicles they manufacture.

Section 435.APPENDIX A Air Cleaner through Battery and Battery Compartment

a) AIR CLEANER

Any type is acceptable.

b) AISLE

Unobstructed minimum clearance leading from service door to emergency door (or back of bus) must be at least 12 inches (305 mm) wide. Floor to ceiling height must be a minimum of 68.9 inches (1.75 m) at any location within the aisle.

c) ALTERNATOR (GENERATOR)

The generator, or alternator with rectifier, shall have a minimum capacity rating of 60 amperes and shall be capable of meeting all electrical requirements.

d) BARRIER, GUARD

A guard barrier, constructed and thickly padded so as to provide head, knee and leg protection, shall be installed in front of each forward facing passenger seat that does not directly face the rear surface of another passenger seat. The barrier must measure the same height as the passenger seat back directly behind that barrier. Barriers shall conform to S5.2 through S5.2.3 of 49 CFR 571.222.

e) BATTERY OR BATTERIES

A minimum of one battery must be installed. Two or more suitably connected batteries may also be installed.

When rated in conformance with SAE Standard J537 (September 2000) the batteries shall provide a current flow for engine cranking no less than the engine manufacturer's recommended Cold Cranking Current (amperes for 30 seconds) at -18° C (0° F) or, at the purchaser's option, at -29° C (-20° F).

When rated in conformance with SAE Standard J537 (September 2000) the batteries shall provide a Reserve Capacity (duration of 25 ampere current flow) at 27° C (80° F) for no less than 135 minutes.

Battery or batteries may be mounted either in the engine area or outside of the passenger/driver area in a separate battery compartment.

f) BATTERY COMPARTMENT (optional)

When the battery is mounted outside the engine compartment, it shall be welded or bolted in a closed, weather-tight, and vented compartment that is located and arranged so as to provide for convenient routine servicing. The battery compartment door, or cover, shall be secured by a manually operated latch or other fastener. A latch or fastener must be designed in such a fashion as to keep the door closed when in the latched position. Each electrical cable connecting the battery in this carrier to the body or chassis shall be one piece between the terminal connector and the first body or chassis terminal connector.

Section 435.APPENDIX B Brakes through Drive Shaft

a) BRAKES

Every motor vehicle shall be equipped with two separate means of applying the brakes and they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes. (See Section 12-301(a) of the Illinois Vehicle Equipment Law.)

Emergency/parking brake system must apply brakes to at least two wheels. (See Section 12-301(a) of the Illinois Vehicle Equipment Law.)

AGENCY NOTE: Micro brakes are not considered a separate means of braking and are not acceptable.

Must be equipped with service brakes on all wheels. (See Section 12-301(a)(5) of the Illinois Vehicle Equipment Law.)

b) BUMPER, FRONT

Manufacturer's standards are acceptable. Black color is not required.

The entire front bumper must be of metal construction unless an energy absorbing bumper is used.

c) BUMPER, REAR

The rear bumper shall be channel-type cross section with the top edge at least 225 mm (8.9") above the bottom edge. The bumper shall be formed from rolled steel at least 4.55 mm (.18") thick, and shall wrap around the rear corners of the body to a point at least 300 mm (11.8") forward of the rearmost point of the body at floor line. The rear bumper shall be attached to the chassis frame with provisions for removal by means of commonly available hand tools and the prevention of hitching to or riding on. The rear bumper shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion.

d) CHILD CHECK SYSTEM (optional)

If a mechanical or electronic child check system is installed, the system shall require that, when the driver turns off the vehicle's ignition system, the vehicle's interior lights must illuminate to assist the driver. (See Section 12-816 of the Illinois Vehicle Equipment Law.)

e) COMMUNICATION DEVICE

AGENCY NOTE: A communication device is required on each MFSAB while the driver is in possession of the MFSAB. The manufacturer may elect to install a two way radio at the time the MFSAB is manufactured; however, a communication device (i.e., two way radio or cellular radio telecommunication device) can also be installed by the owner after the MFSAB is purchased.

An MFSAB must contain either a cellular radio telecommunication device (i.e., cell phone) or an operating two-way radio while the MFSAB driver is in possession of the vehicle.

f) CROSSING CONTROL ARM

The crossing arm must meet the following:

1) Must meet or exceed the wiring requirements of SAE J1133.

2) Must be capable of full operation between, and including, the temperatures -40° F and 160° F.

3) The arm, when activated, must extend a minimum of five feet from the front face of the bumper.

4) The arm must be mounted on the far right side (entry side) of the front bumper.

5) Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage. The arm must stay at the same level as the front bumper and must not "dip" below the front bumper.

6) All component parts must meet or exceed any applicable federal motor vehicle safety standards in effect at the time of manufacture.

7) The arm must extend at the same time the stop arm panel extends. An independent "on/off" switch is prohibited.

8) If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.

9) Red lights and/or red reflectors are prohibited.

g) DRIVE SHAFT GUARD

A suitable guard shall be provided for each segment of the drive shaft to prevent accident or injury if the shaft breaks or becomes disconnected.

Section 435.APPENDIX C Electrical System Wiring through Filter, Oil

a) ELECTRICAL SYSTEM WIRING

1) All wiring for lamps and other electrical devices shall be as recommended for automobiles, motor coaches, and heavy duty starting motor circuits in SAE Recommended Practices J1292 (October 1981) and J541a (October 1996) and in other practices or standards referenced in those documents, unless preempted by FMVSS. (See the FMVSS (49 CFR 571) for requirements.)

2) All circuits may be divided into independent circuits. Whenever feasible, all other electrical functions (sanders, windshield wipers, heaters, defrosters, etc.) shall be provided with independent and properly protected circuits.

3) Each body circuit shall be coded either by numerals and/or letters at approximately 100 mm (3.9") intervals, or by color and numerals and/or letters, or by colors only. The codes shall appear on a diagram of the circuits in a readily accessible location.

4) A separate fuse, circuit breaker, or electronic circuit protection shall be provided for all circuits, except that components of the engine starter and ignition circuits may be protected by other means.

5) Wires not enclosed within the body shall be fastened securely at intervals of not more than 460 mm (18.1").

6) All terminals and splice clips shall be accessible.

7) The chassis manufacturer shall install a readily accessible electrical terminal so that the net body and chassis electrical current flow can be indicated through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring to this terminal shall have a current carrying capacity at least equal to the maximum generator output.

8) A noise suppression switch that is capable of turning off noise producing accessories, including, but not limited to, heater blowers, defroster fans, auxiliary fans and radios, must be installed.

b) EMERGENCY EXITS

Each opening for a required emergency exit window or door must be outlined around its exterior perimeter with, at a minimum, one inch (2.54 cm) wide retroreflective tape. All retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217. Retroreflective tape can be located on the rear bumper or rub rail provided the space under the emergency exit door or emergency exit window is not adequate to accommodate the tape, or, provided rivets are present that prohibit the tape from being applied properly.

Optional emergency roof exits are allowed. Retroreflective tape is also optional.

1) Side

Inside release mechanism must be protected against accidental release; easily accessible; and readily operated manually without the use of remote control, power device, or tool.

2) Rear

Inside release mechanism must be protected against accidental release; easily accessible; readily operated manually without use of remote control, power device, or tool.

Shall have permanently attached inside and outside release handles. Outside release handle must be non-hitchable.

Rear exit shall hinge on right; open outwards; have a 24 inch or more clear horizontal opening and 45 inch or more clear vertical opening above floor. Glazing shall be installed in upper and lower portions. Door and rubber seal must not be defective.

3) Window

Optional emergency windows are allowed. They must be labeled "Emergency Exit" in letters at least two inches high, of a color that contrasts with its background, located at the top of or directly above the window on the inside surface of the bus.

4) Alarms and Locks

Both audible and visible alarms shall alert the driver when engine is running and any emergency exit door either:

A) Is not fully latched, or

B) Is locked.

An audible alarm shall alert the driver when engine is running and any emergency exit window either:

A) Is not fully latched, or

B) Is locked.

The engine starting system shall not operate while any emergency exit door or window (optional or required) is locked (i.e., release mechanism that requires a key or combination, a "hasp lock" or a sliding latch) from either inside or outside the bus.

Alarm cut-off or "squelch" control is prohibited.

On a van conversion, any rear cargo door inside locks of the type installed by the chassis manufacturer (such as commonly used in cars − "push/pull" type) shall be made inoperable. The mechanism cannot, through jarring, vibration, etc., cause the door to become locked and be inoperable from the inside or outside.

No alarm is required for roof hatches.

c) ENTRANCE DOOR

1) Physical Requirements

The service entrance shall have a minimum vertical opening of 1.7 m (67") and a minimum horizontal opening of 610 mm (24").

Door shall be located to right of operator and operated by an over-center control. Upper portions of door shall be safety glass or equivalent. Vertical closing edges shall be equipped with flexible material for a proper seal and to prevent injury.

Each door on the right side of the vehicle, hinged or sliding, except the service door shall be made permanently inoperable by means other than the rub rail on the outside of the body.

The service door shall be either manually or power operated by the seated driver. When in the closed and secured position, the door operating mechanism shall prevent accidental opening but shall afford prompt release and opening by the driver. No exposed parts of a door operating mechanism shall come together so as to shear or crush fingers. The vertical closing edges of a service door shall be padded to lessen chance of injury.

A power operated door shall be equipped for emergency manual operation in case of power failure. Instructions for emergency operation of a power operated door shall be affixed permanently on the interior of the door in letters at least 12 mm (.5") high.

2) Locks and Alarms

A service door lock is not required, but if any type of service door locking system is installed on the bus, the system shall conform to at least one of the following:

A) The locking system shall not be capable of preventing the driver from easily and quickly opening the service door from inside the vehicle; or

B) A locking system that is capable of preventing the bus driver from easily and quickly opening the service door shall include an audiovisual alarm. The alarm shall be audible and visible and must alert the driver when the engine is running and the service door is locked. An alarm disconnect, "squelch control", or other alarm defeating or weakening device shall be prohibited; or

C) A locking system shall not be capable of preventing the bus driver from easily and quickly opening the service door except when a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.

d) EXHAUST SYSTEM

1) General

"Exhaust system" includes each component used to conduct gas from an engine exhaust port (manifold) to an authorized exit point, including each sealing, connecting, and supporting component. Exhaust system shall be outside body and attached to chassis. Size of tail pipe shall not be reduced after it leaves muffler. Any flexible component that contains exhaust gas shall be of stainless steel. System shall not leak. System shall have an outlet at its discharge ends only.

Exhaust system shall be shielded from either accidental contact, "hitching to", or "standing on", except that no shielding is required at the discharge end. A chassis or body component may provide required shield.

AGENCY NOTE: As mandated by the United States Environmental Protection Agency (USEPA), diesel-powered engines manufactured after December 31, 2006 are required to meet stricter standards that will reduce emissions of particulate matter and nitrogen oxides into the atmosphere. School bus manufacturers may be required to modify exhaust systems to meet the USEPA requirements, e.g., mufflers may be replaced with after-treatment devices that significantly reduce toxins released into the atmosphere. Modifications to exhaust systems made in compliance with the USEPA requirements are acceptable, provided they do not impact the safe operation of the school bus.

2) Discharge

The exhaust pipe, muffler and tail pipe shall be outside the bus body and attached to the chassis.

The exhaust system shall be insulated from any insulated wire, flammable material, brake hose or line, or fuel system component by a securely attached metal shield at any point where the exhaust system is 11.8 inches (300 mm) or less (four inches (101.6 mm) or less if diesel powered engine) from the components listed in this subsection (d)(2).

The tail pipe may meet the chassis manufacturer's standard configuration. However, the tail pipe shall not exit beneath any fuel filler location or beneath any emergency exit door.

The tail pipe shall extend out to, but not more than, 1 inch beyond the perimeter of the body, the bumper or the rub rail.

The shielding of engine compartment components shall be governed by the chassis manufacturer's standards.

Each gas conducting component that is not of stainless steel shall be of commercial heat and corrosion resistant exhaust system material and shall be nonflexible.

e) FILTER, OIL

A "full flow" replaceable element or cartridge type engine oil filter of approximately 1 liter (1 quart) capacity shall be installed. The purchaser may specify additional "full flow" or "by-pass" type filters, or oil treatment devices.

Section 435.APPENDIX D Fire Extinguisher through Fuel System

a) FIRE EXTINGUISHER

AGENCY NOTE: A fire extinguisher is required to be carried on each MFSAB transporting students. The manufacturer may elect to install the fire extinguisher at the time the MFSAB is manufactured; however, a fire extinguisher can also be installed by the owner after the MFSAB is purchased.

Pressurized dry-chemical gauge type approved by Underwriters' Laboratories, Inc., with a rating of not less than 10 B.C., mounted in bracket and readily accessible. Sealed with a type of seal that will not interfere with operation. If stored in locked compartment, compartment must be labeled. Halon fire extinguishers (10 B.C.) are approved.

b) FIRST AID KIT

AGENCY NOTE: A first aid kit is required to be carried on each MFSAB transporting students. The manufacturer may elect to install the first aid kit at the time the MFSAB is manufactured; however, a first aid kit can also be installed by the owner after the MFSAB is purchased.

Kit shall be readily identifiable, removable, and mounted in a readily accessible place in driver's compartment − either in full view or in secured compartment (see LOCKED COMPARTMENT). If not carried in compartment, the case shall be dust tight and substantially constructed of durable material. The contents shall include, but not be limited to, the following:

Unit Type (Minimum Contents)

4" bandage compress − 2 packages

2" bandage compress − 2 packages

1" bandage or adhesive compress − 1 package

40" triangle bandage with two safety pins − 1

Splint, wire or wood − 1

A tourniquet or any type of ointment, antiseptic or other medicine shall not be included.

AGENCY NOTE: OSHA approved blood-borne pathogen kits are permitted.

c) FLOOR AND FLOOR COVERING

All portions of the floor that come in contact with passengers' or driver's footwear shall be covered with a waterproof material. This floor covering shall not crack when subjected to sudden temperature change and shall be bonded securely to the floor with a waterproof substance. All seams and openings shall be filled with a waterproof sealer.

The floor covering in the aisles and entrance area shall be of non-skid, wear-resistant type material commonly used in commercial passenger transportation vehicles.

d) FRAME AND BODY

Body mounts shall be attached and sealed to the chassis cowl so as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

Frame shall extend to rear of body cross-member.

Frame extension is permitted when alterations are behind rear hanger or rear springs and not for the purpose of extending wheel base.

e) FUEL SYSTEM

The fuel system shall conform to all applicable provisions of 49 CFR 571.301.

Entire fuel system, except extensions for driver control of air or fuel, must be outside passenger and driver compartment.

Fuel tank must have a minimum capacity of 24 gallons, mounted, filled, and vented entirely outside body.

Section 435.APPENDIX E Grab Handles through Insulation

a) GRAB HANDLES

1) Exterior

Not required.

2) Interior

Stainless steel clad, solidly attached on the left side of the entranceway as a person enters the bus, and as long as practicable. An optional grab handle can also be located on the right side of the entranceway.

b) HEATERS

An interior temperature of not less than 10° Celsius (50° F) shall be maintained throughout the bus while the bus is moving at 75 kilometers per hour (46.6 miles per hour) in calm air at the average minimum January temperature, as established by the Weather Bureau, U.S. Department of Commerce, for the area in which the bus is to be operated.

Each heater shall bear a nameplate that shall identify the heater manufacturer and state the heater capacity rating when tested as recommended in SAE Recommended Practice J638 (November 1998), or when tested in accordance with other nationally recognized standard or code. The recommended practice, standard, or code under which the heater is rated shall be identified on the nameplate. The nameplate shall constitute certification by the heater manufacturer that the heater performance is as shown on the plate.

Heater hoses shall be supported so as to prevent wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges and shall neither interfere with nor restrict the operation of any engine function (such as an emission or ignition control mechanism). Heater hoses shall be protected or baffled between the point at which they enter the passenger compartment and the point of attachment to the heater so that, in the event of hose rupture or disconnection, passengers and/or driver will not be subject to hot water burns.

Auxiliary fuel-fired heating systems are permitted, provided they comply with the following:

1) The auxiliary heating system fuel shall utilize the same type of fuel as specified for the vehicle engine;

2) The heater or heaters may be direct hot air or connected to the engine's coolant system;

3) An auxiliary heating system, when connected to the engine's coolant system, may be used to preheat the engine coolant or preheat and add supplementary heat to the bus heating system;

4) Auxiliary heating systems must be installed pursuant to the manufacturer's recommendations and shall not direct exhaust in a manner that will endanger bus passengers;

5) Auxiliary heating systems that operate on diesel fuel shall be capable of operating on:

A) a hot water and/or combustion type heater; or

B) if only one heater is used, a fresh-air or combination fresh-air and recirculation type heater; or

C) blended diesel fuel without the need for system adjustment; and

6) The auxiliary heating system shall be low voltage.

c) HORN

At least one horn shall be provided giving an audible warning at a distance of 200 feet and shall be conveniently controlled from the operator's seated position. (See Section 12-601 of the Illinois Vehicle Equipment Law.)

Optional exterior air horn is permitted.

d) INSTRUMENTS AND INSTRUMENT PANEL

Shall be equipped with the following nonglare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver. An indicator light instead of a pressure or temperature gauge is permissible.

1) Speedometer;

2) Odometer;

3) Fuel gauge;

4) Oil pressure gauge;

5) Water temperature gauge;

6) Ampere meter or volt meter with graduated charge and discharge indications;

7) High beam headlight indicator;

8) Directional signal indicator;

9) Air pressure or vacuum gauge (when air or vacuum brakes are used);

10) Emergency/service brake indicator (includes anti-lock brake system (ABS)).

e) INSULATION

The ceiling and sidewalls shall be thermally insulated with a fire-resistant material that shall reduce the noise level and vibrations.

Section 435.APPENDIX F Lettering through Paint Requirements

a) LETTERING

1) Exterior

The body and chassis manufacturer's name, emblem, or other identification may be displayed (colorless or any color) on any unglazed surface of the bus.

A vehicle identification number may be displayed on the exterior surface of the school bus roof.

A) Front

Vehicle number assigned for identification shall be a minimum of four inches (100 mm) high and located as high as practicable. Decals are permissible. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

B) Left

The name of the owner or the entity for which the MFSAB is operated or both shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least 4 inches high. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

Optional: Vehicle number assigned for identification may be displayed at a minimum height of four inches (100 mm).

Decals are permissible.

C) Rear

"EMERGENCY DOOR" or "EMERGENCY EXIT" in lettering at least two inches high at top of emergency door, or directly above, or on door glazing.

"EMERGENCY EXIT" (for buses without rear emergency door) in letters at least two inches high directly below rear emergency window or on exit glazing. An arrow, at least 5.9 inches in length and ¾ inch in width indicating direction each release mechanism should be turned to open door or window located within 5.9 inches of release handle, in black. Vehicle number assigned for identification shall be a minimum 4 inches (100 mm) high. Decals are permissible. All required lettering must be a color that contrasts with its background.

If bus uses alternate fuel (e.g., propane, CNG), vehicle must be marked with identifying decal. The decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least ¼ inch wide on a black background with a white or silver scotchlite border bearing either the words or letters:

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of vehicle. (See Section 12-704.3 of the Illinois Vehicle Equipment Law.)

A white decal with black lettering and numerals that measure one inch high must be displayed on the rear of the bus. The decal must display either the words TO REPORT ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL followed by the area code and telephone number of the bus owner. The decal shall be located on the rear window glazing below the rear seat back, on the bus body below the window line, or on the rear bumper. The decal must be visible to the motoring public from the rear of the bus and cannot obstruct any required lettering or numerals. The decal cannot be located on any emergency door glazing or any emergency window glazing. Magnetic signs are prohibited. (See Section 12-821 of the Illinois Vehicle Equipment Law.)

The ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL decal may be applied by the school bus owner after the school bus is purchased.

D) Right

The name of the owner or the entity or both for which the MFSAB is operated shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least 4 inches high. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

The following lettering must be at least two inches (50 mm) high:

i) The word "CAPACITY", or abbreviation "CAP.", and the rated passenger capacity followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the outside of the body near the rear edge of the service entrance.

ii) Empty weight in pounds must be shown. Empty weight is indicated by "EW". (See Section 12-802 of the Illinois Vehicle Equipment Law.)

Manufacturer's identification name or emblem may be displayed, but not on service door glazing. Manufacturer's name or emblem must not interfere with required lettering. Decals are permissible.

Optional: If audio and/or visual recording devices are present on the bus, one white decal with black lettering measuring one inch high shall be displayed on the exterior of the service (i.e., entrance) door, or on the bus body adjacent to the service door if the door is not adequate to accommodate the decal. The decal shall serve as a notice of audio and/or visual recordings. The decal must not be located on any service door glazing. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

2) Interior

A) Front

Each letter or numeral must be at least two inches (50 mm) high and contrasting sharply with its background. A colorless background strip (such as white, aluminum or silver) may be used. Decals are permitted.

On right side: Either "CAPACITY" or "CAP." plus numerals showing rated passenger capacity, followed by either "PASSENGER" or "PASS."

As nearly as practicable opposite the center of aisle, but to right of inside mirror, either "NO STANDEES" or "NO STANDEES PERMITTED".

The vehicle's length (rounded up to next whole foot) shall be displayed on the bulkhead clearly within the driver's view. (For example: vehicle length of 39.1 feet will be displayed as 40 feet.)

A red cross formed of five equal squares with words "FIRST-AID KIT" shall be displayed on the compartment door, or cover, if the first-aid kit is to be carried in the locked compartment.

The words "FIRE EXTINGUISHER" shall be displayed on the compartment door, or cover, if the fire extinguisher is to be carried in the locked compartment.

Optional: If audio and/or visual recording devices are present on the bus, one white decal with black lettering measuring one inch high shall be displayed on the front interior bulkhead. The decal shall serve as a notice of audio and/or visual recordings. The decal must not obstruct any other required lettering on the bulkhead. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

Optional: A "No Smoking" sign may be posted on the interior surface of an MFSAB bus.

B) Left

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

C) Rear

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the door must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

D) Right

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any side emergency door. For any emergency window exit "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, or at the bottom

of the emergency window exit. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

E) Ceiling

Roof exit must be labeled "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high, of a color that contrasts with its background. The labeling must be located on an inside surface of the exit, or within 11.7 inches (30 cm) of the roof exit opening. Concise operating instructions describing the motions necessary to unlatch and open the emergency exit shall be located within 5.85 inches (15 cm) of the release mechanism. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

b) LIGHTS

Light Emitting Diode (LED) lamps that meet applicable FMVSS or SAE Standards/Recommended Practices are acceptable.

1) Back Up

Two white lights shall be provided. Must meet federal standards (49 CFR 571.108).

2) Clearance, Front

Two clearance lights (amber) visible from the front at highest and widest portions of the body. Must conform to federal standards (49 CFR 571.108). May be combined with sidemarker lamp provided the requirements for both lights are met.

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

3) Clearance, Rear

Two clearance lights (red) mounted at highest and widest parts of body. Must conform to federal standards (49 CFR 571.108).

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

4) Identification, Front

Three amber lights mounted at center front near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

5) Identification, Rear

Three red lights mounted at center rear near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

6) Flashing Signal System (not applicable)

MFSAB cannot be equipped with a flashing signal system.

7) Headlights

Shall have at least two headlamps with at least one mounted on each side of the front of the bus. Lamp body must be securely attached. Lenses, reflectors, bulbs, etc., must be in good condition, properly aimed and fill required intensity. Shall conform to federal standards (49 CFR 571.108).

8) Interior

Adequate light to illuminate aisles, step well, and emergency passageways.

9) License Plate

Adequate white light to illuminate license plate. (See 49 CFR 571.108.) May be combined with one of the tail lights.

10) Parking Lights

Shall be one lamp on each side; white or amber color. (See 49 CFR 571.108.)

All buses 80 or more inches in overall width that are equipped with side marker lamps, clearance lamps, and intermediate side marker lamps are exempt from having parking lights. However, if the vehicle is equipped with parking lights, they must be operational. (See 49 CFR 571.108.)

11) Sidemarker, Left

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the bus. Shall conform to federal standards (49 CFR 571.108).

12) Sidemarker, Right

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the bus. Shall conform to federal standards (49 CFR 571.108).

13) Step Well

At least the nosings of the service entrance steps and the floor around the step well shall be automatically illuminated with white light when the ignition is on and the service entrance door is open.

No lamp shall be installed so as to shine directly into the eyes of a pupil moving through the service entrance and looking at the service steps.

14) Stop

Two red lights mounted at same height and as high as practicable below window line. Seven inch minimum diameter or 19 square inches. Not less than three feet apart laterally. Must conform to federal standards (49 CFR 571.108).

15) Strobe

Lamp must comply with following requirements:

A) One per bus;

B) Shall emit white or bluish/white light;

C) Shall be visible from any direction;

D) Shall flash 60 to 120 times per minute;

E) Shall be visible in normal sunlight;

F) Mounted at or behind center of rooftop and equal distance from each side.

Distance from rear will be calculated by measuring height of filament and multiplying same by 30 inches. (Filament height x 30 = distance from rear of bus where lamp is to be located.)

If a roof exit, air conditioner or the size of the bus interferes with the placement of a strobe as required in this subsection (b)(15)(F), the strobe can be placed to the rear of the roof exit or air conditioner as near as practicable above the rear axle, horizontally centered between the rear tires.

16) Tail

Two red lights mounted with centers not less than 40 inches nor more than 50 inches from surface on which vehicle stands. Must conform to federal standards (49 CFR 571.108).

17) Turn Signal, Front

One amber lamp located on each side at or near the front, including the fender or cowl. They shall be located at the same height and as far apart as practicable. Lamps must conform to federal standards (49 CFR 571.108).

18) Turn Signal, Rear

One red or amber lens on each side at the same height and as far apart as practicable below window. Must meet federal standard 49 CFR 571.108.

c) LOCKED COMPARTMENT (optional)

The fire extinguisher, first-aid kit, and/or warning devices may be stored either in a closed, unlocked compartment or under lock and key, provided the locking device is connected with an automatic warning signal that will alert driver when the compartment is locked. The automatic alarm shall be both audible and visible to the seated driver. The alarm shall alert the driver when the engine is running and the compartment is locked and cannot be readily opened without using a tool, key, or combination. An alarm cut-off or "squelch" control is prohibited.

Each safety item inside the compartment shall be named on the outside of the compartment cover or door. In addition, a RED CROSS formed of five equal squares shall be displayed on the cover when the first aid kit is inside the compartment.

d) MIRRORS

Every required mirror shall be of reflecting material protected from abrasion, scratching, and corrosion. Mirror shall be firmly installed on stable supports so as to give a clear, stable, reflected view. Mirrors must meet all requirements of 49 CFR 571.111 to provide the required field of view.

Convex crossover mirrors can be combined with either the right or left side safety mirrors provided the convex mirror meets the field of view and size requirements of 49 CFR 571.111.

1) Exterior

A) Rear View Driving

Shall be mounted outside on the left and right sides of the bus. Must give seated driver a view to the rear along each side of the bus. Must be at least 50 square inches of usable flat rectangular reflecting surface on each side. (See 49 CFR 571.111.)

If the rear view driving mirror does not provide the required field of view, a convex driving mirror must be installed to expand the driving view to the rear. However, the usable flat reflecting surface must be rectangular and must maintain at least 50 square inches.

B) Right Side Safety

An outside convex mirror, either alone or in combination with the crossover mirror system, shall give the seated driver a view of the roadway along the right side of the bus between the most forward surface of the right front tire and the rear of the rear bumper. The projected reflecting surface of this convex mirror shall be at least 40 square inches (7⅛ inches diameter if a circle).

Extra-wide-angle convex mirror heads are permissible on right front corner only.

C) Left Side Safety (Optional)

A convex mirror is required if the left rear view driving mirror system does not give the seated driver a reflected view of the roadway along the left side of the bus between the front edge of the driver's seat (in most forward position) and the rear of the rear bumper. The convex mirror shall be installed so that either alone

or in combination with the rear view driving mirror gives the seated driver the proper view.

D) Crossover

An outside convex mirror shall give the seated driver a view of the front bumper and the area of roadway in front of the bus. The projected reflecting surface of this mirror shall be at least 40 square inches (7⅛ inch diameter if a circle). (See 49 CFR 571.111.)

Exception: If the seated driver of a forward control bus has a direct view of the front bumper and the area of roadway in front of the bus, a crossover mirror is optional.

2) Interior

Must have a clear view safety glass mirror, metal backed and framed with rounded corners and edges that shall be padded. Shall afford a good view of the interior and roadway to the rear.

e) PAINT REQUIREMENTS

The exterior of any MFSAB can be any color except national school bus glossy yellow.

Each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide retroreflective tape, including roof exits. The retroreflective tape must be on the exterior surface of the bus. Required retroreflective tape can be located on the rear bumper or the rub rail, provided the space under the emergency exit door or emergency exit window is not adequate to accommodate the tape or provided rivets are present that prohibit the tape from being applied properly. (See 49 CFR 571.217.)

Section 435.APPENDIX G Pedals through Seat, Driver's

a) PEDALS (ACCELERATOR AND BRAKE)

Minimum 1½ inch clearance with pedal fully depressed. All pedals must be covered with rigid nonslip material.

Pedal extensions are allowed. They must be securely attached and covered with rigid nonslip material.

b) PROJECTIONS

1) Exterior

Entire rear and bumper area of bus must be nonhitchable.

AGENCY NOTE: "Nonhitchable" is defined as the rear of the bus being designed and maintained to prevent or discourage riding or grasping rear of bus so as to "hitch" rides.

2) Interior

Interior shall be free of all dangerous projections.

Optional equipment (e.g., video camera) that is located in the bulkhead area of the bus and not flush with the interior walls must meet the following requirements:

A) Must not interfere with occupants entering or exiting the bus.

B) Must not be located in driver's head impact zone.

C) Must not obstruct required lettering.

Additional projections (e.g., external speakers, air conditioners) located within 59 inches from the floor shall be padded to prevent injury. This includes inner lining of ceiling and walls.

Installation of book or luggage racks is not permissible.

Flush mounted speakers are exempt from padding requirements.

c) RADIO SPEAKERS

Radio/stereo speakers cannot be located within four feet of the rearmost position of the driver's seat.

d) REFLECTORS

1) Front

Two yellow or amber rigid or sheet type (tape) reflex reflectors shall be securely attached on the front of the body near the lower left and right hand corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

These front reflectors shall be located between 15 and 60 inches above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the bus. No part of the required reflecting material may be obscured by a lamp, mirror, bracket or any other portion of the bus.

No part of the required reflecting material may be more than 11.8 inches (300 mm) inboard of the outer edge of the nearest rub rail.

The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J 594; otherwise, it shall display at least seven square inches of reflecting material (about 3 inch diameter if a solid circle).

A sheet type (tape) reflex reflector may conform to the surface on which it is installed but its forward projected reflecting area shall be at least eight square inches.

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

2) Left Side

One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On buses more than 30 feet long, one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches in diameter.

3) Right Side

One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On buses more than 30 feet long, one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches in diameter.

4) Rear

Two red reflectors on rear body within 12 inches of lower right and lower left corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.) Minimum three inches in diameter.

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

e) RUB RAILS

There shall be one rub rail, located approximately at seat level, that shall extend from the rear of the service entrance completely around the bus body without

interruption, except at functioning doors or a rear engine compartment, to a point of curvature near the front of the body on the left side.

There shall be one rub rail on each side, located approximately at the floor line, that shall extend over the same longitudinal distance as the rub rail located at the seat level.

More than two rub rails may be installed on sides and rear of bus.

Rub rails of longitudinally corrugated or ribbed steel at least 3.9 inches (100 mm) wide shall be fixed on the outside of the bus.

Exceptions:

1) Rub rail need not extend across wheel housing.

2) Rub rail may terminate at the point of curvature at the right and left rear corners of the body.

f) SEAT BELTS

Each MFSAB shall be equipped with a retractable lap belt assembly for the driver's seat. (See Section 12-807 of the Illinois Vehicle Equipment Law.) A shoulder harness is optional. Belt material, buckle, tongue, etc., of each driver's belt shall remain above floor when not in use.

Passenger safety belts that meet 49 CFR 571.222 are required on any MFSAB that has a GVWR of 10,000 pounds or less. Passenger safety belts are optional on any MFSAB that has a GVWR of more than 10,000 pounds. However, optional safety belts installed on any MFSAB are required to meet 49 CFR 571.222. At all times, each seat belt shall be readily available for quick and easy use. Retractors must be the emergency locking type. Each belt assembly shall be clean.

g) SEAT, DRIVER'S

The driver's seat shall be rigidly positioned and have a forward and backward adjustment without the use of tools or other nonattached devices. Seat cushions shall be securely fastened to the seat frame.

Optional: Bus may be equipped with a durable safety belt webbing cutter with a full-width handgrip and a protected, replaceable, or non-corrodible blade. The webbing cutter must be mounted in a location accessible to the seated driver in an easily detachable manner.

Section 435.APPENDIX H Seats, Passenger through Storage Compartment (optional)

a) SEATS, PASSENGER

Each seat and each barrier are required to conform to FMVSS 222 (49 CFR 571.222).

Each seat shall be constructed so that the shortest straight-line distance from the top of the seat back to the empty seat cushion is 28" when measured near the transverse center of the seat at the front of the seat back and along the angle of rearward inclination of the seat back. Since the height of a seat back is difficult to measure precisely on a repeated basis, a measurement of 27.5" or more is deemed acceptable.

All seats shall be forward facing and securely fastened to part or parts of bus that support them. No bus shall be equipped with jump seats or portable seats (does not include child restraint systems). Padding and covering shall be of fire resistant material. Backs of all seats of similar size shall be of the same width at top and the same height from floor and shall slant at the same angle with the floor. The top and side rails and seat backs shall be padded to cushion level. Seat padding and covering shall be in good condition (i.e., free from holes and tears). Seat cushions shall be securely fastened to the seat frame.

b) SHOCK ABSORBERS

Two front and two rear double-acting shock absorbers of adequate capacity shall be installed.

c) STEERING SYSTEM

The rim grip of the steering wheel shall have at least 50 mm (2") clearance in all directions, except at the spokes.

The steering gear shall provide safe and accurate performance at maximum load and speed and shall be easily adjusted. Only changes approved by the chassis manufacturer shall be permitted.

d) STEPS, ENTRANCE

The bottom step in the entranceway shall not extend beyond the exterior of the body. With all seats empty, the bottom step shall be not less than 300 mm (11.8") and not more than 400 mm (15.7") from the roadway. At least two steps shall be provided. The steps shall be enclosed. Risers shall be approximately equal. Each step, including the floor at the top riser, shall be surfaced with a nonskid material with a 40 mm (1.6") to 80 mm (3.1") white nosing as an integral piece.

e) STOP SIGNAL ARM PANEL (not applicable)

MFSAB cannot be equipped with stop signal arm panels.

f) STORAGE COMPARTMENT (optional)

Covered, fire-resistant container securely fastened of adequate strength and capacity for tire chains and tools for minor emergency repairs.

Section 435.APPENDIX I Sun Visor through Undercoating

a) SUN VISOR

Shall be interior, adjustable and not less than five inches by 16 inches. Must be installed above windshield.

Not required to be transparent, but must not interfere with view of interior rear view mirror.

b) SUSPENSION AND SPRINGS

Each spring and other component in any of the suspension systems shall be capable of supporting its share of the rated gross axle weight during normal operations.

c) TOW HOOKS (optional)

1) Front

A front tow hook must not extend beyond the front of the front bumper. Each front tow hook not fastened securely to the chassis frame shall be connected to the frame by suitable braces.

2) Rear

Any tow hooks installed on the rear shall be attached or braced to the chassis frame or to an equivalent structural member of an integral type bus. A tow hook must not extend beyond the rear face of the rear bumper.

d) TRASH CONTAINER (optional)

A trash container may be present. If present, it must be securely stored in the vehicle and must not obstruct an aisle.

e) UNDERCOATING

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

Fire resistant undercoating material applied to entire underside of body, front fenders, wheel wells, floor members, and side panels below floor level. Non-metallic parts need not be coated.

Section 435.APPENDIX J Ventilation through Windshield Wipers

a) VENTILATION

The body shall be equipped with a controlled ventilation system of sufficient capacity to maintain a satisfactory ratio of outside to inside air under cool and cold operating conditions without opening of windows. With a powered ventilation system, air outlet openings shall be located, sized, and manufactured so that, with doors and windows closed, a positive pressure is maintained in the driver and passenger spaces to lessen chances of dangerous gas entering those spaces. Fresh air inlets shall be located so as to minimize entrance of either dangerous engine gas or obnoxious engine fumes.

b) WARNING DEVICES

AGENCY NOTE: The bus purchaser may elect to install the warning devices after the bus is purchased.

1) Emergency warning devices are required to be carried on any second division motor vehicle weighing more than 8,000 pounds and operated upon any highway outside an urban district. The warning devices must be securely stored.

The warning devices required for use when lighted lamps are required (see Section 12-201(b) of the Illinois Vehicle Equipment Law) shall consist of:

A) At least three liquid-burning flares and three red-burning 15-minute fusees; or

B) Three red electric lanterns; or

C) Three portable red emergency reflectors that meet FMVSS No. 125.

2) In addition, the following warning devices are also required for use when lighted lamps are not required (see Section 12-201(b) of the Illinois Vehicle Equipment Law):

A) Two red cloth flags (not less than 12 inches square with standards to support flags); or

B) Two portable emergency reflectors that meet FMVSS No. 125. (The reflectors in subsection (b)(1)(C) qualify for this option.) (See Section 12-702(a) and (c) of the Illinois Vehicle Equipment Law.)

c) WHEELS

1) Housings

Each opening shall allow for unimpeded wheel and tire service and removal. Each rear wheel housing shall provide the clearance recommended in SAE J683 (August 1985) for installation and use of tire chains on the dual or single tires installed on the rear wheels.

2) Rim

Wheels and rims may be black, gray or manufacturer's option.

3) Tires

Must meet 49 CFR 571.120. A spare tire is the purchaser's option. If the spare tire is carried inside, it shall be securely mounted so that it in no way interferes with the passenger seating accommodations, the emergency door operations or aisle space.

Tires on same axle must be of same construction.

A mixture of regular and mud-and-snow treads must be the same on both sides of the axle.

When radial and conventional (i.e., bias) tires are both used, one of the following two requirements shall be met:

A) On vehicles with one single wheel axle and one or more dual wheel axles, radial tires shall be used on the steering (i.e., front) axle only.

B) On vehicles having two single wheel axles, radial tires shall be used on the rear axle only.

d) WINDOWS

1) All applicable provisions of 49 CFR 571.205 apply to the optional laminated safety glass and also to any plastic materials used in a multiple glazed unit.

Glazing shall be marked as follows pursuant to 49 CFR 571.205:

A) Windshield − "AS 1" Glass

B) Driver's Window − "AS 1" Glass or "AS 2" Glass

C) Driver's door − "AS 1" Glass or "AS 2" Glass

D) All other locations − "AS 1" Glass, "AS 2" Glass, or "AS 3" Glass.

2) Emergency (Also see EMERGENCY EXITS)

When the emergency door is located on the left side, a rear emergency window shall be provided. Minimum dimensions are 16 inches high and 48 inches wide. Designed to be opened from the inside or the outside. Hinged on top, designed and operated to insure against accidental closing in an emergency. Inside handle shall provide for quick release. Outside handle shall be nondetachable and nonhitchable. When locked or not fully latched, window shall actuate alarm audible and visible to driver. No cutoff switch allowed.

Optional emergency windows are allowed. They must be labeled "Emergency Exit" in letters at least two inches high, of a color that contrasts with its background, located at the top of or directly above the window on the inside surface of the bus.

Optional emergency windows must be equipped with an audible alarm activated when window is locked or not fully latched.

3) Rear

All rear glazing shall be the fixed type. No portion of any rear window shall display any lettering, numerals or symbols that may obstruct the driver's view.

4) Side

Each side window shall provide unobstructed emergency opening at least 9 inches high and 22 inches wide, obtained either by lowering window or by use of knock-out type split sash.

Window latches must be in proper working order.

5) Windshield

Shall be installed between front corner posts and must be unobstructed. Non-reflective tinted film may be used along the uppermost portion of the windshield but must not extend more than six inches down from the top of the windshield. (See Sections 12-501 and 12-503 of the Illinois Vehicle Equipment Law.) Windshield shall be slanted to reduce glare.

e) WINDSHIELD WASHER

Windshield washer shall effectively clean entire area covered by both wipers.

f) WINDSHIELD WIPERS

Wipers shall be either two speed or variable speed with nonglare arms and blades. Blades need not be individually powered.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

1) Heading of the Part: Inspection Procedures for Multifunction School Activity Buses

2) Code Citation: 92 Ill. Adm. Code 436

3)

Section Numbers:	Adopted Action:
436.10	New Section
436.20	New Section
436.30	New Section
436.APPENDIX A	New Section
436.APPENDIX B	New Section
436.APPENDIX C	New Section
436.APPENDIX D	New Section
436.APPENDIX E	New Section
436.APPENDIX F	New Section
436.APPENDIX G	New Section
436.APPENDIX H	New Section
436.APPENDIX I	New Section
436.APPENDIX J	New Section
436.APPENDIX K	New Section
436.APPENDIX L	New Section

4) Statutory Authority: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812]

5) Effective Date of Rulemaking: February 10, 2012

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted rules is on file in the agency's Division of Traffic Safety and Office of Chief Counsel and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: August 26, 2011; 35 Ill. Reg. 14321

10) Has JCAR issued a Statement of Objection to this rulemaking? No

12) Differences between Proposal and Final Version: Several grammatical corrections were, made in agreement with JCAR. Pursuant to public comment, in Section 436.30, the definition of "MFSAB" was rewritten to reflect the statutory amendment, as prescribed by Public Act 97-378, to allow an MFSAB to transport 11 or more persons and no longer limit the passenger capacity to 15. At Section 436.Appendix J(e)(2)(D), the Department changed "bags/bellows are cut into belting" to "air bag/bellow belting is exposed" in agreement with JCAR.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements 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 the Rulemaking: The Department established inspection criteria specific to multifunction school activity buses (MFSAB) pursuant to PA 96-410, effective July 1, 2010, and PA 97-378, effective August 15, 2011. Section 13-109 of the Illinois Vehicle Inspection Law requires an MFSAB to be inspected every six months at an Illinois Official Testing Station.

PA 96-410 prohibits the use of 11 to 15 passenger vans and permits the use of MFSAB (designed to transport 11 to 15 persons, including the driver) for an interscholastic, interscholastic-athletic, or school sponsored, non-curriculum-related activity that (i) does not require student participation as part of the educational services of the entity and (ii) is not associated with the students' regular class-for-credit schedule. The Public Act does not apply to any second division vehicle used for a parade, homecoming, or a similar non-curriculum-related school activity. PA 97-378, effective August 15, 2011, allows an MFSAB to transport 11 or more passengers, thereby no longer limiting the passenger capacity to 15. PA 96-410 also establishes specific lettering (i.e., marking) requirements and prohibits an MFSAB from being painted school bus yellow and from being equipped with a stop signal arm panel and an eight-lamp flashing signal system.

At Section 436.20, Incorporation by Reference, the Department has incorporated all applicable Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571) as of October 1, 2011, the most current edition of the FMVSS. The National Highway Traffic Safety Administration (NHTSA) requires an MFSAB to meet all FMVSS applicable to school buses, except stop signal arm panel and eight-lamp flashing signal system. Since the Department's rules at 92 Ill. Adm. Code 440, Minimum Safety Standards for

Construction of Type I School Buses, apply only to traditional yellow school buses, the Department promulgated a new Part 435, Minimum Safety Standards for Construction of Multifunction School Activity Buses (published elsewhere in this Register), pursuant to the Public Act, to prescribe construction standards for the MFSAB. By this rulemaking, the Department has established inspection procedures to coincide with the construction standards of 92 Ill. Adm. Code 435. This Part 436 requires the same equipment as required in Part 435. Rejection criteria have also been established in this Part similar to criteria found in 92 Ill. Adm. Code 441, Inspection Procedures for Type I School Buses.

Since Part 435 prescribes a July 1, 2012 manufacturers' compliance date, this Part will apply to MFSAB manufactured on or after July 1, 2012. Components listed here that are not listed in Part 435 indicate equipment that is required by the FMVSS. Listing all equipment required by the FMVSS would be redundant in Part 435 since the FMVSS are incorporated by reference in the text of Part 435. However, components required by the FMVSS must be maintained in proper working order and inspected during the semi-annual inspection. By this Notice, the following components will be inspected on MFSAB manufactured for use in Illinois on or after July 1, 2012.

Air Cleaner
Aisle
Alternator (Generator)
Axles
Barrier, Guard
Battery or Batteries
Battery Cables
Defrosters
Drive Shaft Guard
Electrical System Wiring
Emergency Exits
Entrance Door
Exhaust System
Fenders
Filter, Oil
Fire Extinguisher
First Aid Kit
Floor and Floor Covering
Frame and Body
Fuel Storage and Delivery System
Grab Handles
Battery Compartment (optional)
Brakes
Bumper, Front and Rear
Certification Label (Federal)
Child Check System (optional)
Communication Device
Crossing Control Arm
Pedals (Accelerator and Brake)
Projections
Radio Speakers
Reflectors
Rub Rails
Seat Belts
Seat, Driver's
Seats, Passenger
Steering System
Steps, Entrance
Stop Signal Arm Panel (not applicable)
Storage Compartment (optional)
Sun Visor

Heaters	Suspension and Springs
Hood	Tow Hooks (optional)
Horn	Trash Container (optional)
Instruments and Instrument Panel	Undercoating
Insulation	Ventilation
Lettering	Warning Devices
Lights	Wheels
Locked Compartment (optional)	Windows
Mirrors	Windshield Washer
Paint Requirements	Windshield Wipers

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

Ms. Catherine Allen
Illinois Department of Transportation
Division of Traffic Safety
P.O. Box 19212
Springfield, Illinois 62794-9212

217/785-3031

By Messenger or Inter-Agency Mail:

IDOT/Division of Traffic Safety
1340 N. 9th Street
Springfield, Illinois

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

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 436
INSPECTION PROCEDURES FOR MULTIFUNCTION SCHOOL ACTIVITY BUSES

Section

436.10 Purpose, Scope and Implementation Date
436.20 Incorporation by Reference of Federal Regulations
436.30 Definitions
436.APPENDIX A Air Cleaner through Barrier, Guard
436.APPENDIX B Battery or Batteries through Bumper, Front
436.APPENDIX C Bumper, Rear through Drive Shaft Guard
436.APPENDIX D Electrical System Wiring through Fenders
436.APPENDIX E Filter, Oil through Frame and Body
436.APPENDIX F Fuel Storage and Delivery System through Horn
436.APPENDIX G Instruments and Instrument Panel through Locked Compartment (optional)
436.APPENDIX H Mirrors through Rub Rails
436.APPENDIX I Seat Belts through Steering System
436.APPENDIX J Steps, Entrance through Suspension
436.APPENDIX K Tow Hooks (optional) through Warning Devices
436.APPENDIX L Wheels through Windshield Wipers

AUTHORITY: Implementing Article VIII of Chapter 12 of the Illinois Vehicle Code [625 ILCS 5/Ch.12, Art. VIII] and the Illinois Vehicle Inspection Law [625 ILCS 5/Ch. 13] and Section 14-3(m) of the Criminal Code of 1961 [720 ILCS 5/14-3(m)] and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/12-812].

SOURCE: Adopted at 36 Ill. Reg. 2973, effective February 10, 2012.

Section 436.10 Purpose, Scope and Implementation Date

This Part prescribes the requirements of the Illinois Department of Transportation (Department) governing the inspection of multifunction school activity buses (MFSABs) that are manufactured on or after July 1, 2012. These standards are applicable to MFSABs that are owned or operated by, or for, school districts or school bus contractors.

Section 436.20 Incorporation by Reference of Federal Regulations

a) Each multifunction school activity bus must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.1 through 571.404) as they apply to multi-function school activity buses. Those applicable provisions of the FMVSS are incorporated by reference as that part of the FMVSS was in effect on October 1, 2011. No later amendments to or editions of 49 CFR 571 are incorporated.

b) Each multifunction school activity bus must conform to the applicable provisions of 49 CFR 567, Certification, and 49 CFR 568, Vehicles Manufactured in Two or More Stages, that were in effect on the first day of the month in which the chassis manufacturer completed the last manufacturing operation on the incomplete bus. Those applicable provisions are incorporated by reference as they were in effect on October 1, 2011. No later amendments to or editions of 49 CFR 567 and 49 CFR 568 are incorporated.

c) Each multifunction school activity bus must conform to the applicable Standards and Recommended Practices of the Society of Automotive Engineers Handbook (Society of Automotive Engineers, Inc., 400 Commonwealth Drive, Warrendale PA 15096-0001, 724/776-4841). Those applicable provisions of the SAE Standards and Recommended Practices are incorporated by reference as of the 2005 edition date. No later amendments to or editions of the SAE Standards and Recommended Practices are incorporated.

d) Copies of the materials incorporated by reference are available for inspection at the Division of Traffic Safety, 1340 North Ninth Street, Springfield, Illinois 62702 or by calling 217/785-1181. The federal standards are available on the National Archives and Records Administration's website at http://ecfr.gpoaccess.gov. The Division of Traffic Safety's rules are available on the Department's Highway and Traffic Safety Information website at http://www.dot.il.gov/safety.html.

Section 436.30 Definitions

"Body" means the portion of a bus that encloses the occupant and cargo spaces and separates those spaces from the chassis frame, engine compartment, driveline, and other chassis components, except certain chassis controls used by the driver.

"Body-on-Chassis" means a completed vehicle consisting of a passenger seating body mounted on a truck type chassis (or other separate chassis) so that the body and chassis are separate entities, although one may reinforce or brace the other.

"Bus" means *every motor vehicle, other than a commuter van, designed for carrying more than ten persons.* (Section 1-107 of the Code)

"Chassis" means *every frame or supportive element of a vehicle whether or not a manufacturer's identification number, serial number, or other identifying numbers are present on said part*. (Section 1-111.1b of the Code)

"Code" means the Illinois Vehicle Code [625 ILCS 5].

"Commercial Vehicle Safety Section" means a section of the Bureau of Safety Programs of the Division of Traffic Safety, Illinois Department of Transportation.

"Department" means *the Department of Transportation of the State of Illinois, acting directly or through its duly authorized officers and agents.* (Section 1-115.05 of the Code)

"Division" means the Illinois Department of Transportation, Division of Traffic Safety.

"Empty Weight" means the unloaded vehicle weight; i.e., the weight of a vehicle with maximum capacity of all fluids necessary for operation of the vehicle but without cargo or occupant.

"FMVSS" means the rules and standards set forth in 49 CFR 571 and known as the Federal Motor Vehicle Safety Standards.

"Gross Vehicle Weight Rating" or "GVWR" means the value specified by the manufacturer as the loaded weight of the school bus. (See Section 1-124.5 of the Code.)

"Illinois Vehicle Equipment Law" means 625 ILCS 5/12-101 through 12-902.

"Manufacturer" (unless otherwise indicated at the point of use) means the person or organization whose name follows "MANUFACTURED BY" or "MFD BY" on the federal certification label.

"Multifunction School Activity Bus" or "MFSAB" means a school bus manufactured for the purpose of transporting 11 or more persons, including the driver, whose purposes do not include transporting students to and from home or school bus stops. A MFSAB is prohibited from meeting the special requirements for school buses in Sections 12-801, 12-803, and 12-805 and subsection (a) of Section 12-802 of the *Code.* (Section 1-148.3a5 of the Code, as amended by PA 97-378, effective August 15, 2011)

"Passenger" means every occupant of the vehicle who is not the driver.

"Purchase Date" means the date when the purchase transaction was completed, not when the body or chassis was built.

"Seating Reference Point" means the unique design H-point, as defined in SAE J1100, that simulates the position of the pivot center of the human torso and thigh. Each school bus manufacturer utilizes different criteria to determine the specific seating reference point on passenger seats for vehicles they manufacture.

Section 436.APPENDIX A Air Cleaner through Barrier, Guard

a) AIR CLEANER

PROCEDURES/SPECIFICATIONS:

Any type is acceptable.

REJECT VEHICLE IF:

Air cleaner is not properly attached or is missing.

b) AISLE

PROCEDURES/SPECIFICATIONS:

Unobstructed minimum clearance leading from service door to emergency door (or back of bus) must be at least 12 inches (305 mm) wide. Floor to ceiling height must be a minimum of 68.9 inches (1.75 m) at any location within the aisle.

REJECT VEHICLE IF:

Aisle does not meet minimum standards.

c) ALTERNATOR (GENERATOR)

PROCEDURES/SPECIFICATIONS:

The generator, or alternator with rectifier, shall have a minimum capacity rating of 60 amperes and shall be capable of meeting all electrical requirements.

REJECT VEHICLE IF:

Alternator does not meet minimum standards or is not functioning.

d) AXLES

PROCEDURES/SPECIFICATIONS:

Must meet federal chassis requirements as indicated on federal certification label. (See 49 CFR 568.)

REJECT VEHICLE IF:

Axles show visible signs of apparent damage, leaking fluids or are not firmly attached.

e) BARRIER, GUARD

PROCEDURES/SPECIFICATIONS:

A guard barrier, constructed and thickly padded so as to provide head, knee and leg protection, shall be installed in front of each forward facing passenger seat that does not directly face the rear surface of another passenger seat. The barrier must measure the same height as the passenger seat back directly behind that barrier. (See 49 CFR 571.222.)

REJECT VEHICLE IF:

Barrier is not solidly attached. Padding or covering is missing or shows wear and tear. Barrier does not meet requirements.

Section 436.APPENDIX B Battery or Batteries through Bumper, Front

a) BATTERY OR BATTERIES

PROCEDURES/SPECIFICATIONS:

A minimum of one battery must be installed. Two or more suitably connected batteries may also be installed.

When rated in conformance with SAE Standard J537 (September 2000) the batteries shall provide a current flow for engine cranking no less than the engine manufacturer's recommended Cold Cranking Current (amperes for 30 seconds) at -18° C (0° F) or, at the purchaser's option, at -29° C (-20° F).

When rated in conformance with SAE Standard J537 (September 2000) the batteries shall provide a Reserve Capacity (duration of 25 ampere current flow) at 27° C (80° F) no less than 135 minutes.

Battery or batteries may be mounted either in the engine area or outside of the passenger/driver area in a separate battery compartment.

REJECT VEHICLE IF:

Battery or batteries are: not securely mounted; excessively corroded; of insufficient capacity.

b) BATTERY CABLES

PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Cables are corroded or are not securely attached.

c) BATTERY COMPARTMENT (optional)

PROCEDURES/SPECIFICATIONS:

When the battery is mounted outside the engine compartment, it shall be welded or bolted in a closed, weather-tight, and vented compartment that is located and arranged so as to provide for convenient routine servicing. The battery compartment door, or cover, shall be secured by a manually operated latch or other fastener. A latch or fastener must be designed in such a fashion as to keep the door closed when in the latched position. Each electrical cable connecting the battery in this carrier to the body or chassis shall be one piece between the terminal connector and the first body or chassis terminal connector.

REJECT VEHICLE IF:

If present, battery compartment does not meet requirements.

d) BRAKES

PROCEDURES/SPECIFICATIONS:

Every motor vehicle shall be equipped with two separate means of applying the brakes and they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes. (See Section 12-301(a) of the Illinois Vehicle Equipment Law.)

REJECT VEHICLE IF:

Brakes do not meet requirements.

1) Backing Plate

PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Backing plate is in poor condition.

2) Drums/Discs

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PROCEDURES/SPECIFICATIONS:

Inspect drums and/or discs for cracks or for being worn or reworked beyond the manufacturer's minimum limits.

REJECT VEHICLE IF:

Worn or reworked beyond the manufacturer's minimum limits.

3) Emergency/Parking Brake

PROCEDURES/SPECIFICATIONS:

Emergency/parking brake system must apply brakes to at least two wheels. (See Section 12-301(a) of the Illinois Vehicle Equipment Law.)

AGENCY NOTE: Micro brakes are not considered a separate means of braking and are not acceptable.

Procedures for testing:

A) Apply operating control fully.

B) Check actuating mechanism for release.

Brake Performance Test:

Using Drive-On Pad Type Tester:

i) Drive vehicle onto brake machine pads at 4-8 m.p.h.

ii) Apply emergency/parking brakes to bring vehicle to a halt. Do not lock wheels.

iii) Note the braking forces registered by the brake machine.

Using Roll-On Type Tester:

i) Position axle with emergency brake onto roller.

ii) Apply emergency brake but do not lock wheels.

REJECT VEHICLE IF:

Emergency/parking brake does not meet requirements.

A) Not equipped with emergency/parking brakes. Operating mechanism does not hold in the applied position.

B) Actuating mechanism does not fully release when release control is operated properly.

Brake Performance Test:

Drive-On Tester:

Machine does not register a total braking force of at least 20% of vehicle empty weight. Braking forces at opposite wheels on same axle vary more than 20%.

Roll-On Tester:

Machine does not register a total braking force of at least 20% of vehicle empty weight. Braking forces at opposite wheels on same axle vary more than 20%.

4) Emergency Brake Ratchet (Pedal or Lever)

PROCEDURES/SPECIFICATIONS:

Must be in proper adjustment. If vehicle was manufactured with a warning light, it must be visible when emergency brake is activated.

REJECT VEHICLE IF:

Emergency brake ratchet or warning light does not meet requirements.

5) Pedal Clearance (Service Brakes)

(See PEDALS at Appendix H.)

6) Power Systems

A) Air

i) Air Pressure

PROCEDURES/SPECIFICATIONS:

With air system fully charged (compressor governor "cut-out") run engine at low idle. Make one full (maximum) brake application and immediately record reservoir air pressure.

Apply and release brakes until pressure indicated on the air gauge is at least 10 psi (i.e., pounds per square inch) below governor "cut-in" pressure. Run engine at high idle and determine seconds required to raise reservoir pressure from recorded pressure.

REJECT VEHICLE IF:

Time required to raise air pressure from recorded to cut-out is more than 30 seconds. Air gauge is missing or does not operate.

ii) Low Pressure Warning Device

PROCEDURES/SPECIFICATIONS:

Complete the following steps to evaluate low pressure warning device.

1) Before starting the engine, apply brakes and release until low air pressure warning device functions.

2) Start the engine.

3) Apply service brakes and release until air compressor is activated.

4) Continue to run engine until compressor cut-out pressure is reached.

5) Record compressor cut-out pressure.

6) Shut engine off.

Determine if low pressure warning device is missing or inoperative.

If located in the driver's forward field of view, the warning device can be a visual device only. If not located in the driver's front view, the device must be both audible and visible.

Record the reading found on the pressure gauge at which the low pressure warning device functions.

REJECT VEHICLE IF:

Missing or inoperative low pressure warning device. Device does not meet requirements.

Low pressure warning device does not operate at 55 psi or one half cut-out pressure, whichever is less.

B) Electric/Hydraulic

PROCEDURES/SPECIFICATIONS:

Turn key to "off" position. Depress service brake pedal. Electric hydraulic pump must come "on" (listen).

REJECT VEHICLE IF:

Electric pump does not operate properly or is absent.

C) Hydraulic

PROCEDURES/SPECIFICATIONS:

Inspect booster belts, supports, tubes, hoses, connections and general condition. Clean reservoir and cover as necessary and check master cylinder fluid level. Do not contaminate fluid.

Turn key to "on" position. Warning signal must come on (look/listen). Depress brake pedal lightly. Start engine. Pedal must move down slightly (feel). Warning signal must go "off" (look/listen).

REJECT VEHICLE IF:

Belt is slack or worn; tube or hose is damaged; any part leaks or is cracked; master cylinder fluid is below manufacturer's recommended capacity.

Either booster or warning signal does not operate properly.

D) Vacuum/Hydraulic

PROCEDURES/SPECIFICATIONS:

Inspect tanks, chambers, hoses, tubes, connectors, clamps, and booster air cleaner.

Inspect supports and attachments.

With engine off, repeatedly apply service brakes until vacuum is depleted, with medium pressure on brake pedal, and start engine; release brake and operate engine until maximum vacuum is established; stop engine; apply service brakes hard.

With brakes still applied, start engine; after one minute of running engine, check "Low Vacuum" indicator.

REJECT VEHICLE IF:

Any component is restricted, collapsed, scraped, cracked, loose, or broken. Booster air cleaner is clogged.

Any support or attachment is broken. Any connecting line or other component is not attached or supported so as to prevent damage from scraping or rubbing.

Foot pedal does not fall away from foot when engine is started; insufficient vacuum reserve to permit one full service brake application after engine is off without actuating "low vacuum" indicator; valve or diaphragm leaking.

7) Service Brakes

PROCEDURES/SPECIFICATIONS:

Must be equipped with service brakes on all wheels. (See Section 12-301(a)(5) of the Illinois Vehicle Equipment Law.)

Must be equipped with a "split system" on service brakes. (See 49 CFR 571.105.)

Power-assisted service brakes are required. (See 49 CFR 571.105.)

If the bus is equipped with an anti-lock braking system (ABS), verify the ABS warning light is not illuminated and has not been made inoperable.

REJECT VEHICLE IF:

Service brakes do not meet requirements. ABS warning light is illuminated or has been made inoperable.

Brake Performance Test:

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PROCEDURES/SPECIFICATIONS:

Using Drive-On Pad Type Brake Tester:

Check vehicle's stopping ability before testing.

Drive vehicle onto brake machine pads at 4-8 m.p.h.

Apply service brakes to bring vehicle to a halt. Do not lock wheels.

Note the braking forces registered by the brake machine.

Using Roll-On Type Tester:

Each axle must be tested separately. Transmission must be in neutral when testing brakes on any drive axle.

Drive front axle onto rollers. Start roller motor. Apply service brakes but do not lock wheels.

Repeat the above steps for each axle.

The total braking force on a vehicle must be determined by adding the results of the test on each axle.

REJECT VEHICLE IF:

Drive-On Tester:

Machine does not register a total braking force of at least 60% of the vehicle empty weight.

Computerized tester does not register a total braking force of at least 45% of the vehicle empty weight.

Roll-On Tester:

Machine does not register a total braking force of at least 60% of the vehicle empty weight. Braking forces at opposite wheels on same axle vary more than 20%.

e) BUMPER, FRONT

PROCEDURES/SPECIFICATIONS:

Manufacturer's standard for vehicle or an equivalent bumper that meets or exceeds manufacturer's standards. Black color is not required.

The entire front bumper must be of metal construction unless an energy absorbing bumper is used.

Bumper must be solidly attached and free from damage or sharp edges.

REJECT VEHICLE IF:

Front bumper does not meet requirements. Bumper is not solidly attached. Sharp edges are present.

Section 436.APPENDIX C Bumper, Rear through Drive Shaft Guard

a) BUMPER, REAR

PROCEDURES/SPECIFICATIONS:

The rear bumper shall be channel-type cross section with the top edge at least 225 mm (8.9") above the bottom edge. The bumper shall be formed from rolled steel at least 4.55 mm (.18") thick, and shall wrap around the rear corners of the body to a point at least 300 mm (11.8") forward of the rearmost point of the body at floor line. The rear bumper shall be attached to the chassis frame with provisions for removal by means of commonly available hand tools and the prevention of hitching to or riding on. The rear bumper shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion.

REJECT VEHICLE IF:

Rear bumper does not meet requirements. Bumper is not solidly attached. Sharp edges are present. Rear bumper is hitchable.

b) CERTIFICATION LABEL (FEDERAL)

PROCEDURES/SPECIFICATIONS:

The manufacturer's label must contain the following information:

1) Name of vehicle (bus) manufacturer and the month and year in which manufacture of the vehicle was completed;

2) Name of incomplete vehicle (chassis) manufacturer and the month and year in which it performed the last manufacturing operation on the incomplete vehicle;

3) Gross vehicle weight rating or ratings (GVWR);

4) Gross axle weight ratings (GAWR);

5) The statement, "This vehicle conforms to all applicable federal motor vehicle safety standards in effect in (month/year)";

6) The vehicle identification number (VIN);

7) The vehicle's classification (MFSAB). (See 49 CFR 567.5.)

The certification label may be supplemented by an alterer's certification. A certified vehicle might have been altered before its purchase for use as a school bus. The alterations may have included, but are not limited to, classification changes, gross weight rating changes, or changes to the application/effective date of an FMVSS. If any such alteration occurred, the bus must carry an additional federal label that identifies the alterer, shows when alteration was completed, "as altered" GVWR, GAWR and classification (if changed). It must also state that the altered vehicle conforms to all applicable FMVSS in effect in (month/year). (See 49 CFR 567.7.)

REJECT VEHICLE IF:

A required label is absent, defaced, destroyed, not riveted, or not permanently affixed. "Permanently affixed" means the label cannot be removed without destroying or defacing it.

A certification label does not contain the required statement and all other information required for that label.

c) CHILD CHECK SYSTEM (optional)

If a mechanical or electronic child check system is installed, the system shall require that, when the driver turns off the vehicle's ignition system, the vehicle's interior lights must illuminate to assist the driver. (See Section 12-186 of the Illinois Vehicle Equipment Law.)

REJECT VEHICLE IF:

A mechanical or electronic child check system is installed but the interior lights are not illuminated when the ignition is turned off or to the "accessories" position.

d) COMMUNICATION DEVICE

PROCEDURES/SPECIFICATIONS:

An MFSAB must contain either a cellular radio telecommunication device (i.e., cell phone) or an operating two-way radio while the school bus driver is in possession of a school bus.

Verify either a cell phone or a two-way radio is operating and can be turned on.

Exception: If neither a cell phone nor a two-way radio is present on the bus at the time of inspection, documentation on district or company letterhead must be present indicating the communication device requirement is being met by the use of a cell phone that is not present at the time of inspection.

REJECT VEHICLE IF:

The two-way radio or cell phone does not operate; or

Two-way radio or cell phone is not present and no documentation is provided indicating the communication device requirement is being met by the use of a cell phone.

e) CROSSING CONTROL ARM

PROCEDURES/SPECIFICATIONS:

The crossing arm must meet the following:

1) Must meet or exceed the wiring requirements of SAE J1133.

2) Must be capable of full operation between, and including, the temperatures -40° F and 160° F.

3) The arm, when activated, must extend a minimum of five feet from the front face of the bumper.

4) The arm must be mounted on the far right side (entry side) of the front bumper.

5) Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage. The arm must stay at the same level as the front bumper and must not "dip" below the front bumper.

6) All component parts must meet or exceed any applicable federal motor vehicle safety standards in effect at the time of manufacture.

7) The arm must extend at the same time the stop arm panel extends. An independent "on/off" switch is prohibited.

8) If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.

9) Red lights and/or red reflectors are prohibited.

REJECT VEHICLE IF:

Crossing control arm does not meet requirements.

f) DEFROSTERS

PROCEDURES/SPECIFICATIONS:

Using heat from heaters and circulation from fans, defrosting equipment shall keep the windshield, the windows to the left of the operator, and the glass in the service door clear of fog, frost, and snow. Must conform to federal standard 49 CFR 571.103.

(Auxiliary fans are not considered to be a defrosting and defogging system.)

REJECT VEHICLE IF:

Defrosting system does not function properly.

Auxiliary fans are not securely mounted or blades are not protected.

g) DRIVE SHAFT GUARD

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

PROCEDURES/SPECIFICATIONS:

Shall be of sufficient strength to protect each segment of the drive shaft and prevent it from going through the floor or dropping to the ground if broken.

REJECT VEHICLE IF:

Drive shaft guard is missing, not firmly attached, or does not properly protect each segment of the drive shaft.

Section 436.APPENDIX D Electrical System Wiring through Fenders

a) ELECTRICAL SYSTEM WIRING

1) Circuits

PROCEDURES/SPECIFICATIONS:

Circuits arranged to manufacturer's specifications are acceptable. Circuits may be added as necessary.

MFSABs must be equipped with a noise suppression switch that is capable of turning off noise producing accessories including, but not limited to, heater blowers, defroster fans, auxiliary fans and radios.

REJECT VEHICLE IF:

Breaks in insulation are present. Not on proper circuit or properly wired.

Noise suppression switch is missing or does not function.

2) Fuses

PROCEDURES/SPECIFICATIONS:

For buses equipped with electrical systems that utilize fuses, two extra fuses for each size fuse used on the bus shall be conveniently mounted for easy access on the bus body.

REJECT VEHICLE IF:

If required, fuses are not present or are not conveniently mounted for easy access.

3) Switches

PROCEDURES/SPECIFICATIONS:

Check operation and condition.

REJECT VEHICLE IF:

Switches are not operating properly or are missing.

4) Wiring

PROCEDURES/SPECIFICATIONS:

All wires shall be properly insulated and securely attached at not more than 18.1 inches (460 mm) intervals. Check condition.

REJECT VEHICLE IF:

Insulation is frayed or missing. Wiring not securely attached.

b) EMERGENCY EXITS

PROCEDURES/SPECIFICATIONS:

All buses must be equipped with either a rear emergency door or a left side emergency door and a rear emergency window. (See 49 CFR 571.217.)

All emergency exits shall be outlined around the perimeter of the exit with a minimum one inch wide retroreflective tape or decal. The retroreflective tape or decal shall be placed on the exterior surface of the MFSAB. (See 49 CFR 571.217.)

Exceptions: Retroreflective tape can be located on the rear bumper provided the space under the emergency exit door is not adequate to accommodate the tape or provided rivets are present that prohibit the tape from being applied properly.

Optional emergency roof hatches are allowed. They must be installed according to manufacturer's specifications.

Open and close roof hatches (required or optional) to verify their operation.

REJECT VEHICLE IF:

Emergency exits do not meet requirements. Roof hatches do not open.

1) Side

PROCEDURES/SPECIFICATIONS:

Inside release mechanism must be protected against accidental release; easily accessible; and readily operated manually without the use of remote control, power device, or tool.

Shall be hinged on front side and open outward. Shall be equipped with safety glass (or equivalent). Glass shall be located in upper portion of the door. Door shall be of at least the same gauge metal as the body. Shall be 24 inches or more clear horizontal opening, with forward edge of opening in line with the rearmost edge of a seat back. Shall have 45 inches or more clear vertical opening. Door and rubber seal must not be defective. (See Alarms and Locks in subsection (b)(4) for requirements.)

There must be at least 11.7 inches (30 cm) measured from the door opening to the seat back in front. If there is no flip-up seat present, a guard barrier must be installed in front of the seat to the rear of the door. (See 49 CFR 571.217.)

REJECT VEHICLE IF:

Release mechanism is not protected, accessible, or operable (inside and outside); unable to open easily; hinge is located at incorrect location; location and size of opening is incorrect. General condition of door and/or rubber seal is defective.

2) Rear

PROCEDURES/SPECIFICATIONS:

Inside release mechanism must be protected against accidental release; easily accessible; readily operated manually without use of remote control, power device or tool.

Shall have permanently attached inside and outside release handles. Outside release handle must be non-hitchable.

Rear exit shall hinge on right; open outwards; have a 24 inch or more clear horizontal opening and 45 inch or more clear vertical opening above floor. Glazing shall be installed in upper and lower portions. Door and rubber seal must not be defective. (See Alarms and Locks in subsection (b)(4) for requirements.)

REJECT VEHICLE IF:

Inside release mechanism is not protected. Inside and outside release mechanisms are not accessible or do not operate properly. Outside release mechanism is hitchable. Door does not open easily. Location of hinge is incorrect. Size of opening is incorrect. Glazing does not meet requirements. General condition of door and/or rubber seal is defective.

3) Window

PROCEDURES/SPECIFICATIONS:

When the emergency door is located on the left side, a rear emergency window shall be provided. Minimum 16 inches high and 48 inches wide. Designed to be opened from the inside or the outside. Hinged on top, designed and operated to insure against accidental closing in an emergency. Inside handle shall provide for quick release. Outside handle shall be nondetachable and nonhitchable. (See Alarms and Locks in subsection (b)(4) for requirements.)

Optional emergency windows are allowed. They must be labeled "Emergency Exit" in letters at least two inches high, of a color that contrasts with its background, located at the top of or directly above the window on the inside surface of the bus.

REJECT VEHICLE IF:

If equipped, operating mechanisms do not function. Glass is cracked or broken.

4) Alarms and Locks

PROCEDURES/SPECIFICATIONS:

Both audible and visible alarms shall alert the driver when engine is running and any emergency exit door either:

A) Is not fully latched, or

B) Is locked.

An audible alarm shall alert the driver when engine is running and any emergency exit window either:

A) Is not fully latched, or

B) Is locked.

The engine starting system shall not operate while any emergency exit door or window (optional or required) is locked (i.e., release mechanism that requires a key or combination, a "hasp lock" or a sliding latch) from either inside or outside the bus.

Alarm cut-off or "squelch" control is prohibited.

On a van conversion, any rear cargo door inside locks of the type installed by the chassis manufacturer (such as commonly used in cars − "push/pull" type) shall be made inoperable. The mechanism cannot, through jarring, vibration, etc., cause the door to become locked and be inoperable from the inside or outside.

Exception: No alarm is required for roof hatches.

REJECT VEHICLE IF:

Alarms do not alert driver as required. Locks do not meet requirements.

c) ENTRANCE DOOR

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

1) Physical Requirements

PROCEDURES/SPECIFICATIONS:

The service entrance shall have a minimum vertical opening of 1.7 m (67") and a minimum horizontal opening of 610 mm (24").

Door shall be located to right of operator and operated by an over-center control. Upper portions of door shall be safety glass or equivalent. Vertical closing edges shall be equipped with flexible material for a proper seal and to prevent injury.

Each door on the right side of the vehicle, hinged or sliding, except the service door shall be made permanently inoperable by means other than the rub rail on the outside of the body.

The service door shall be either manually or power operated by the seated driver. When in the closed and secured position, the door operating mechanism shall prevent accidental opening but shall afford prompt release and opening by the driver. No exposed parts of a door operating mechanism shall come together so as to shear or crush fingers. The vertical closing edges of a service door shall be padded to lessen chance of injury.

A power operated door shall be equipped for emergency manual operation in case of power failure. Instructions for emergency operation of a power operated door shall be affixed permanently on the interior of the door in letters at least 12 mm (.5") high.

REJECT VEHICLE IF:

Binding or jamming is evident, malfunctions, over-ride device on power operated door does not function, control not accessible by driver.

Door is missing, loose, or damaged. Rubber seal is missing or torn.

2) Locks and Alarms

PROCEDURES/SPECIFICATIONS:

A service door lock is not required, but if any type of service door locking system is installed on the bus, the system shall conform to at least one of the following:

A) The locking system shall not be capable of preventing the driver from easily and quickly opening the service door from inside the vehicle; or

B) A locking system that is capable of preventing the bus driver from easily and quickly opening the service door shall include an audiovisual alarm. The alarm shall be audible and visible and must alert the driver when the engine is running and the service door is locked. An alarm disconnect, "squelch control", or other alarm defeating or weakening device shall be prohibited; or

C) A locking system shall not be capable of preventing the bus driver from easily and quickly opening the service door except when a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.

REJECT VEHICLE IF:

Locks and alarms do not meet requirements. Bent, worn or dislocated parts that would delay quick door release and opening are present.

d) EXHAUST SYSTEM

PROCEDURES/SPECIFICATIONS:

1) General

"Exhaust system" includes each component used to conduct gas from an engine exhaust port (manifold) to an authorized exit point, including each sealing, connecting, and supporting component. Exhaust system shall be outside body and attached to chassis. Size of tail pipe shall not be reduced after it leaves muffler. Any flexible component that contains exhaust gas

shall be of stainless steel. System shall not leak. System shall have an outlet at its discharge ends only.

Exhaust system shall be shielded from either accidental contact, "hitching to", or "standing on", except that no shielding is required at the discharge end. A chassis or body component may provide required shield.

AGENCY NOTE: As mandated by the United States Environmental Protection Agency (USEPA), diesel-powered engines manufactured after December 31, 2006 are required to meet stricter standards that will reduce emissions of particulate matter and nitrogen oxides into the atmosphere. School bus manufacturers may be required to modify exhaust systems to meet the USEPA requirements, e.g., mufflers may be replaced with after-treatment devices that significantly reduce toxins released into the atmosphere. Modifications to exhaust systems made in compliance with the USEPA requirements are acceptable, provided they do not impact the safe operation of the school bus.

REJECT VEHICLE IF:

All parts of system are not securely fastened and supported.

Any part of system is leaking or missing.

Any part of system contains holes not made by manufacturer.

Exhaust system does not meet requirements.

2) Discharge

PROCEDURES/SPECIFICATIONS:

The exhaust pipe, muffler and tail pipe shall be outside the bus body and attached to the chassis.

The exhaust system shall be insulated from any insulated wire, flammable material, brake hose or line, or fuel system component by a securely attached metal shield at any point where the exhaust system is 11.8 inches

(300 mm) or less (four inches (101.6 mm) or less if diesel powered engine) from the components listed in this subsection (d)(2).

The shielding of engine compartment components shall be governed by the chassis manufacturer's standards.

The tail pipe may meet the chassis manufacturer's standard configuration. However, the tail pipe shall not exit beneath any fuel filler location or beneath any emergency exit door.

The tail pipe shall extend out to, but not more than, 1 inch beyond the perimeter of the body, the bumper or the rub rail.

Each gas conducting component that is not of stainless steel shall be of commercial heat and corrosion resistant exhaust system material and shall be nonflexible.

REJECT VEHICLE IF:

Exhaust discharge system does not meet requirements.

Exhaust discharge location is "hitchable".

Exhaust fumes are released towards a door or other opening into bus body.

e) FENDERS

PROCEDURES/SPECIFICATIONS:

Shall be properly braced and free from any body attachment.

There shall be approximately one inch located between front fenders and back face to cowl.

REJECT VEHICLE IF:

Fenders are not solid or in bad condition.

Sharp edges are evident.

Fenders are loose or protrude out.

Section 436.APPENDIX E Filter, Oil through Frame and Body

a) FILTER, OIL

PROCEDURES/SPECIFICATIONS:

A "full flow" replaceable element or cartridge type engine oil filter of approximately 1 liter (1 quart) capacity shall be installed. The purchaser may specify additional "full flow" or "by-pass" type filters, or oil treatment devices.

REJECT VEHICLE IF:

Oil filter leaks or does not meet requirements.

b) FIRE EXTINGUISHER

PROCEDURES/SPECIFICATIONS:

Pressurized dry-chemical gauge type approved by Underwriters' Laboratories, Inc., with a rating of not less than 10 B.C., mounted in bracket and readily accessible. Sealed with a type of seal that will not interfere with operation. If stored in locked compartment, compartment must be labeled. Halon fire extinguishers (10 B.C.) are approved.

REJECT VEHICLE IF:

Gauge does not indicate in the calibrated or marked "Full Charge" area. Seal is broken. Extinguisher is not mounted, not in a quick release holder or not labeled in compartment, if applicable. Improper rating. Missing.

c) FIRST AID KIT

PROCEDURES/SPECIFICATIONS:

Kit shall be readily identifiable, removable, and mounted in a readily accessible place in driver's compartment − either in full view or in secured compartment (see LOCKED COMPARTMENT). If not carried in compartment, the case shall be dust tight and substantially constructed of durable material. The contents shall include, but not be limited to, the following:

Unit Type (Minimum Contents)

4" bandage compress − 2 packages

2" bandage compress − 2 packages

1" bandage or adhesive compress − 1 package

40" triangle bandage with two safety pins − 1

Splint, wire or wood − 1

A tourniquet or any type of ointment, antiseptic or other medicine shall not be included.

AGENCY NOTE: OSHA approved blood-borne pathogen kits are permitted.

REJECT VEHICLE IF:

Kit is not complete or is missing. Dust or other visible dirt is present inside case. Minimum number of individual packages or boxes are not sealed. Medicine or tourniquet is present. Locked compartment containing kit is not labeled. Not mounted in readily accessible location.

d) FLOOR AND FLOOR COVERING

PROCEDURE/SPECIFICATIONS:

All portions of the floor that come in contact with passengers' or driver's footwear shall be covered with a waterproof material. This floor covering shall not crack when subjected to sudden temperature change and shall be bonded securely to the floor with a waterproof substance. All seams and openings shall be filled with a waterproof sealer.

The floor covering in the aisles and entrance area shall be of non-skid, wear-resistant type material commonly used in commercial passenger transportation vehicles.

REJECT VEHICLE IF:

Abnormal wear and obstructions are present. Holes or openings are present in floors, floor covering, interior engine cover, or boots. Metal floor stripping is not securely attached or is broken. Interior engine cover is not fastened securely. Floor or floor covering does not meet requirements.

e) FRAME AND BODY

PROCEDURES/SPECIFICATIONS:

Visually inspect:

1) Body mounts shall be attached and sealed to the chassis cowl so as to prevent the entry of water, dust or fumes through the joint between the chassis cowl and the body.

2) Cross members and mounting bolts.

3) Engine mounting bolts.

4) Frame shall extend to rear of body cross member.

5) Frame extension is permitted when alterations are behind rear hanger or rear springs and not for the purpose of extending wheel base.

6) Collision damage detrimental to the safe operation of the vehicle.

REJECT VEHICLE IF:

1) Cracked, loose, missing bolts. Any repair done by welding body to frame, insulation strip missing.

2) Loose, cracked, broken or missing.

3) Missing, loose.

4) Cracked, broken, bent, rusted to a depth as to substantially weaken frame, welding except by body manufacturer.

5) Unless permitted, frame extends past wheel base.

6) Collision damage is detrimental to the safe operation of the vehicle.

Section 436.APPENDIX F Fuel Storage and Delivery System through Horn

a) FUEL STORAGE AND DELIVERY SYSTEM

PROCEDURES/SPECIFICATIONS:

Entire fuel system, except extensions for driver control of air or fuel, must be outside passenger and driver compartment.

REJECT VEHICLE IF:

Any part of fuel system, except extensions for driver control of air or fuel, is within passenger/driver compartment.

1) Fuel Filler Cap

PROCEDURES/SPECIFICATIONS:

Meets manufacturer's specifications. Must be the same as or equivalent to original equipment.

REJECT VEHICLE IF:

Fuel filler cap is defective or missing.

2) Fuel Lines

PROCEDURES/SPECIFICATIONS:

Firmly attached. No leakage, seepage, abrasion, or chafing. Inside engine compartment, the chassis manufacturer's standard shall govern separation and shielding between parts designed by chassis manufacturer.

REJECT VEHICLE IF:

Fuel lines are cracked, leaking, insecure mounting, damaged, clamps missing, mount clips missing or not separated.

3) Fuel Filler Tube

PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Fuel filler tube leaks or is not secure.

4) Fuel Pump

PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Fuel pump leaks, is damaged or is not secure.

5) Fuel Tanks

PROCEDURES/SPECIFICATIONS:

Minimum capacity of 24 gallons, mounted, filled, and vented entirely outside body. Must meet manufacturer's specifications (49 CFR 571.301).

REJECT VEHICLE IF:

Fuel tanks have leakage, seepage, or abrasion; hole or crack that would leak or seep when tank is full.

6) Fuel Tank Mounts

PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Fuel tank mounts are cracked or loose or bolts are missing.

7) Fuel Tank Straps

PROCEDURES/SPECIFICATIONS:

Check condition.

REJECT VEHICLE IF:

Fuel tank straps are cracked, loose, or missing.

b) GRAB HANDLES

1) Exterior

Not required.

2) Interior

PROCEDURES/SPECIFICATIONS:

Stainless steel clad solidly attached on the left side of the entranceway as a person enters the bus and as long as practicable. An optional grab handle can also be located on the right side of the entranceway.

Draw a ½ inch hexagon nut attached to a string through the junction where the grab handle attaches to the lower step well.

REJECT VEHICLE IF:

Interior grab handles are missing or are not solidly attached.

Nut becomes lodged on the grab handle. (Retrofit kit is required.)

c) HEATERS

PROCEDURES/SPECIFICATIONS:

Nameplate must identify manufacturer and heater rating capacity. Must be capable of maintaining inside temperature of 50°. The heater hoses shall be supported to guard against excessive wear due to vibration and shall not interfere with or restrict the operation of any engine function. Any hose in the passenger compartment shall be protected to prevent injury from burns in the event of rupture. If heater is not protected by a seat, it must be padded.

Auxiliary fuel-fired heating systems are permitted, provided they comply with the following:

1) The auxiliary heating system fuel shall utilize the same type of fuel as specified for the vehicle engine;

2) The heater or heaters may be direct hot air or connected to the engine's coolant system;

3) An auxiliary heating system, when connected to the engine's coolant system, may be used to preheat the engine coolant or preheat and add supplementary heat to the bus' heating system;

4) Auxiliary heating systems must be installed pursuant to the manufacturer's recommendations and shall not direct exhaust in a manner that will endanger bus passengers;

5) Auxiliary heating systems that operate on diesel fuel shall be capable of operating on:

   A) a hot water and/or combustion type heater; or

   B) if only one heater is used, a fresh-air or combination fresh-air and recirculation type heater; or

   C) blended diesel fuel without the need for system adjustment; and

6) The auxiliary heating system shall be low voltage.

REJECT VEHICLE IF:

Heater is missing; in poor working condition; defective hoses, supports or baffles; not firmly attached or not padded when required.

d) HOOD

PROCEDURES/SPECIFICATIONS:

Open hood and inspect safety catch and hinges for proper operation. Close hood and inspect for proper full closure. Manually inspect latches or remote control for proper operation.

REJECT VEHICLE IF:

Hood does not open or hood latches do not securely hold hood in its proper fully-closed position. Secondary or safety catch does not function properly. Hinge is broken, missing or not attached to body.

e) HORN

PROCEDURES/SPECIFICATIONS:

At least one horn shall be provided giving an audible warning at a distance of 200 feet and shall be conveniently controlled from the operator's seated position. (See Section 12-601 of the Illinois Vehicle Equipment Law.)

Optional exterior air horn is permitted.

REJECT VEHICLE IF:

Horn control is missing or defective or horn is not audible.

Section 436.APPENDIX G Instruments and Instrument Panel through Locked Compartment (optional)

a) INSTRUMENTS AND INSTRUMENT PANEL

PROCEDURES/SPECIFICATIONS:

Shall be equipped with the following nonglare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver. An indicator light instead of a pressure or temperature gauge is permissible. (See 49 CFR 571.101.)

1) Speedometer;

2) Odometer;

3) Fuel gauge;

4) Oil pressure gauge;

5) Water temperature gauge;

6) Ampere meter or volt meter with graduated charge and discharge indications;

7) High beam headlight indicator;

8) Directional signal indicator;

9) Air pressure or vacuum gauge (when air or vacuum brakes are used);

10) Emergency/service brake indicator (includes anti-lock brake system (ABS)).

REJECT VEHICLE IF:

Instruments or instrument panel do not operate properly; instruments are missing; inaccurate readings.

b) INSULATION

PROCEDURES/SPECIFICATIONS:

The ceiling and sidewalls shall be thermally insulated with a fire-resistant material that shall reduce the noise level and vibrations.

REJECT VEHICLE IF:

Insulation does not meet requirements.

c) LETTERING

1) Exterior

PROCEDURES/SPECIFICATIONS:

The body and chassis manufacturer's name, emblem, or other identification may be displayed (colorless or any color) on any unglazed surface of the bus.

A vehicle identification number may be displayed on the exterior surface of the school bus roof.

A) Front

PROCEDURES/SPECIFICATIONS:

Vehicle number assigned for identification shall be a minimum of four inches (100 mm) high and located as high as practicable. Decals are permissible. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

REJECT VEHICLE IF:

Lettering does not meet requirements. Lettering is obstructed.

B) Left

PROCEDURES/SPECIFICATIONS:

The name of the owner or the entity for which the MFSAB is operated or both shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least 4 inches high. (See Section 12-802(b) of the Illinois Vehicle Equipment Law.)

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its background. (See 49 CFR 571.217.)

Optional: Vehicle number assigned for identification may be displayed at a minimum height of four inches (100 mm).

Decals are permissible.

REJECT VEHICLE IF:

Lettering does not meet requirements. Required lettering is obstructed.

C) Rear

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" or "EMERGENCY EXIT" in lettering at least two inches high at top of emergency door, or directly above, or on door glazing.

"EMERGENCY EXIT" (for buses without rear emergency door) in letters at least two inches high directly below rear emergency window or on exit glazing. An arrow, at least 5.9 inches in length and ¾ inch in width indicating direction each release mechanism should be turned to open door or window located within 5.9 inches

of release handle, in black. Vehicle number assigned for identification shall be a minimum 4 inches (100 mm) high. Decals are permissible. All required lettering must be a color that contrasts with its background.

If bus uses alternate fuel (e.g., propane, CNG), vehicle must be marked with identifying decal. The decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least ¼ inch wide on a black background with a white or silver scotchlite border bearing either the words or letters:

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of vehicle. (See Section 12-704.3 of the Illinois Vehicle Equipment Law.)

A white decal with black lettering and numerals that measure one inch high must be displayed on the rear of the bus. The decal must display either the words TO REPORT ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL followed by the area code and telephone number of the bus owner. The decal shall be located on the rear window glazing below the rear seat back, on the bus body below the window line, or on the rear bumper. The decal must be visible to the motoring public from the rear of the bus and cannot obstruct any required lettering or numerals. The decal cannot be located on any emergency door glazing or any emergency window glazing. Magnetic signs are prohibited. (See Section 12-821 of the Illinois Vehicle Equipment Law.)

Exception: If the bus is being presented for inspection by a dealer or a manufacturer prior to delivery to the owner, the ERRATIC DRIVING or TO COMMENT ON MY DRIVING CALL decal is

optional. The decal may be applied by the school bus owner after the school bus is purchased.

REJECT VEHICLE IF:

Lettering does not meet requirements. Required lettering is obstructed.

Buses using alternate fuels are not properly marked with decal. Decal is in wrong location.

D) Right

PROCEDURES/SPECIFICATIONS:

The name of the owner or the entity or both for which the MFSAB is operated shall be painted in a contrasting color on both sides, centered as high as practicable below the window line, in letters at least 4 inches high. (See Section 12-802 of the Illinois Vehicle Equipment Law.)

The following lettering must be at least two inches (50 mm) high:

i) The word "CAPACITY", or abbreviation "CAP.", and the rated passenger capacity followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the outside of the body near the rear edge of the service entrance.

ii) Empty weight in pounds must be shown. Empty weight is indicated by "EW". (See Section 12-802 of the Illinois Vehicle Equipment Law.)

Manufacturer's identification name or emblem may be displayed, but not on service door glazing. Manufacturer's name or emblem must not interfere with required lettering. Decals are permissible.

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit

door. For any emergency window exit "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its background. (See 49 CFR 571.217.)

Optional: If audio and/or visual recording devices are present on the bus, one white decal with black lettering measuring one inch high shall be displayed on the exterior of the service (i.e., entrance) door, or on the bus body adjacent to the service door if the door is not adequate to accommodate the decal. The decal shall serve as a notice of audio and/or visual recordings. The decal must not be located on any service door glazing. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

REJECT VEHICLE IF:

Lettering does not meet requirements. Lettering is obstructed.

2) Interior

A) Front

PROCEDURES/SPECIFICATIONS:

Each letter or numeral must be at least two inches (50 mm) high and contrasting sharply with its background. A colorless background strip (such as white, aluminum or silver) may be used. Decals are permitted.

On right side: Either "CAPACITY" or "CAP." plus numerals showing rated passenger capacity, followed by either "PASSENGER" or "PASS."

As nearly as practicable opposite the center of aisle, but to right of inside mirror, either "NO STANDEES" or "NO STANDEES PERMITTED".

The vehicle's length (rounded up to next whole foot) shall be displayed on the bulkhead clearly within the driver's view. (For example: vehicle length of 39.1 feet will be displayed as 40 feet.)

A red cross formed of five equal squares with words "FIRST-AID KIT" shall be displayed on the compartment door, or cover, if the first-aid kit is to be carried in the locked compartment.

The words "FIRE EXTINGUISHER" shall be displayed on the compartment door, or cover, if the fire extinguisher is to be carried in the locked compartment.

Optional: If audio and/or visual recording devices are present on the bus, one white decal with black lettering measuring one inch high shall be displayed on the front interior bulkhead. The decal shall serve as a notice of audio and/or visual recordings. The decal must not obstruct any other required lettering on the bulkhead. Magnetic signs are prohibited. (See Section 14-3(m) of the Illinois Criminal Code.)

Optional: A "No Smoking" sign may be posted on the interior surface of an MFSAB bus.

REJECT VEHICLE IF:

Lettering does not meet requirements. Lettering is obstructed. Vehicle length is not displayed properly or is absent.

B) Left

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions

necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT VHICLE IF:

Lettering does not meet requirements. Lettering is obstructed.

C) Rear

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any emergency exit door. For any emergency window exit, "EMERGENCY EXIT" must be located at the top of, or directly above, or at the bottom of the emergency window exit in letters at least 1.95 inches (5 cm) high. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the door must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These operating instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT VEHICLE IF:

Lettering does not meet requirements. Lettering is obstructed.

D) Right

PROCEDURES/SPECIFICATIONS:

"EMERGENCY DOOR" in letters at least 1.95 inches (5 cm) high must be located at the top of, or directly above, any side emergency door. For any emergency window exit, "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high

must be located at the top of, or directly above, or at the bottom of the emergency window exit. The labeling must be of a color that contrasts with its background. Concise operating instructions describing the motions necessary to unlatch and open the exit must be located within 5.85 inches (15 cm) of the release mechanism on the inside surface of the bus. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT VEHICLE IF:

Right interior lettering does not meet requirements. Lettering is obstructed.

E) Ceiling

PROCEDURES/SPECIFICATIONS

Roof exit must be labeled "EMERGENCY EXIT" in letters at least 1.95 inches (5 cm) high, of a color that contrasts with its background. The labeling must be located on an inside surface of the exit, or within 11.7 inches (30 cm) of the roof exit opening. Concise operating instructions describing the motions necessary to unlatch and open the emergency exit shall be located within 5.85 inches (15 cm) of the release mechanism. These instructions shall be in letters at least .39 inches (1 cm) high and of a color that contrasts with its background. (See 49 CFR 571.217.)

REJECT VEHICLE IF:

Lettering does not meet requirements.

d) LIGHTS

Light Emitting Diode (LED) lamps that meet applicable FMVSS or SAE Standards/Recommended Practices are acceptable.

1) Back Up

PROCEDURES/SPECIFICATIONS:

Two white lights shall be provided. Must meet federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Back-up lights do not function; illegal color; broken lens.

2) Clearance, Front

PROCEDURES/SPECIFICATIONS:

Two clearance lights (amber) visible from the front at highest and widest portions of the body. Must conform to federal standards (49 CFR 571.108). May be combined with sidemarker lamp provided the requirements for both lights are met.

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Front clearance lights do not function; improper color; broken lens.

3) Clearance, Rear

PROCEDURES/SPECIFICATIONS:

Two clearance lights (red) mounted at highest and widest parts of body. Must conform to federal standards (49 CFR 571.108).

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Rear clearance lights do not function; improper color; broken lens.

4) Identification, Front

PROCEDURES/SPECIFICATIONS:

Three amber lights mounted at center front near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Front cluster lights do not function properly; improper color; broken lens.

5) Identification, Rear

PROCEDURES/SPECIFICATIONS:

Three red lights mounted at center rear near top of body. Must conform to federal standards (49 CFR 571.108).

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Rear cluster lights do not function properly; improper color; broken lens.

6) Flashing Signal System (not applicable)

PROCEDURES/SPECIFICATIONS:

MFSAB cannot be equipped with a flashing signal system.

REJECT VEHICLE IF:

MFSAB is equipped with a flashing signal system.

7) Headlights

PROCEDURES/SPECIFICATIONS:

Shall have at least two headlamps with at least one mounted on each side of the front of the bus. Lamp body must be securely attached. Lenses, reflectors, bulbs, etc., must be in good condition, properly aimed and fill required intensity. Check for bulb burn out. Verify high and low beams are functioning. Shall conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Headlights do not meet requirements. High/low beams do not function.

8) Interior

PROCEDURES/SPECIFICATIONS:

Adequate to illuminate aisles, step well, and emergency passageways.

REJECT VEHICLE IF:

Interior lights do not provide adequate lighting; cracked or broken lenses; improper color.

9) License Plate

PROCEDURES/SPECIFICATIONS:

Adequate white light to illuminate license plate. (See 49 CFR 571.108.) May be combined with one of the tail lights.

REJECT VEHICLE IF:

License plate light does not provide adequate lighting; cracked or broken lenses; improper color.

10) Parking Lights

PROCEDURES/SPECIFICATIONS:

Shall be one lamp on each side; white or amber color. (See 49 CFR 571.108.)

All buses 80 or more inches in overall width that are equipped with side marker lamps, clearance lamps, and intermediate side marker lamps are exempt from having parking lights. However, if the vehicle is equipped with parking lights, they must be operational. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Parking lights do not meet requirements; improper color; cracked or broken lenses.

11) Sidemarker, Left

PROCEDURES/SPECIFICATIONS:

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the bus. Shall conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Left marker lights do not meet requirements; does not function properly; improper color; cracked or broken lenses.

12) Sidemarker, Right

PROCEDURES/SPECIFICATIONS:

Two lamps: one amber at front and one red at rear, mounted as high as practicable and located on the side of the bus. Shall conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Right marker lights do not meet requirements; improper color; cracked or broken lenses.

13) Step Well

PROCEDURES/SPECIFICATIONS:

At least the nosings of the service entrance steps and the floor around the step well shall be automatically illuminated with white light when the ignition is on and the service entrance door is open.

No lamp shall be installed so as to shine directly into the eyes of a pupil moving through the service entrance and looking at the service steps.

REJECT VEHICLE IF:

Step well light does not meet requirements; improper color; cracked or broken lenses.

14) Stop

PROCEDURES/SPECIFICATIONS:

Two red lights mounted at same height and as high as practicable below window line. Seven inch minimum diameter or 19 square inches. Not less than three feet apart laterally. Must conform to federal standards (49 CFR 571.108).

For buses with an overall width of less than 80 inches, a high mounted stop lamp is required (may be two lamps).

REJECT VEHICLE IF:

Stop lights do not meet requirements; improper color; cracked or broken lenses; do not function properly.

15) Strobe

PROCEDURES/SPECIFICATIONS:

Lamp must comply with following requirements:

A) One per bus;

B) Shall emit white or bluish/white light;

C) Shall be visible from any direction;

D) Shall flash 60 to 120 times per minute;

E) Shall be visible in normal sunlight;

F) Mounted at or behind center of rooftop and equal distance from each side.

Distance from rear will be calculated by measuring height of filament and multiplying same by 30 inches. (Filament height x 30 = distance from rear of bus where lamp is to be located.)

If a roof exit, air conditioner or the size of the bus interferes with the placement of a strobe as required in this subsection (d)(15)(F), the strobe can be placed to the rear of the roof exit or air conditioner as near as practicable above the rear axle, horizontally centered between the rear tires.

REJECT VEHICLE IF:

Strobe light does not meet installation requirements; does not function properly; improper color; cracked or broken lenses.

Shielding is present.

16) Tail

PROCEDURES/SPECIFICATIONS:

Two red lights mounted with centers not less than 40 inches nor more than 50 inches from surface on which vehicle stands. Must conform to federal standards (49 CFR 571.108).

REJECT VEHICLE IF:

Tail lights do not meet requirements; do not function properly; improper color; cracked or broken lenses.

17) Turn Signal, Front

PROCEDURES/SPECIFICATIONS:

One amber lamp located on each side at or near the front, including the fender or cowl. They shall be located at the same height and as far apart as practicable. Lamps must conform to federal standards (49 CFR 571.108).

Operate turn signals and four-way warning hazards to check performance of front and rear lights.

REJECT VEHICLE IF:

Front turn signal lights do not meet requirements; do not function properly; improper color; cracked or broken lenses.

Four-way warning hazards do not operate properly.

18) Turn Signal, Rear

PROCEDURES/SPECIFICATIONS:

One red or amber lens on each side at the same height and as far apart as practicable below window. Must meet federal standard 49 CFR 571.108.

REJECT VEHICLE IF:

Rear turn signal does not meet requirements; improper color; does not function properly; cracked or broken lenses.

e) LOCKED COMPARTMENT (optional)

PROCEDURES/SPECIFICATIONS:

Fire extinguisher, first-aid kit, and warning devices may be stored either in a closed, unlocked compartment or under lock and key, provided the locking device is connected with an automatic warning signal that will alert driver when compartment is locked. The automatic alarm shall be both audible and visible to the seated driver. The alarm shall alert the driver when the engine is running and the compartment is locked and cannot be readily opened without using a tool, key, or combination. An alarm cut-off or "squelch" control is prohibited.

Each safety item inside the compartment shall be named on the outside of the compartment cover or door. In addition, a RED CROSS formed of five equal squares shall be displayed on the cover when the first aid kit is inside the compartment.

REJECT VEHICLE IF:

If present, locked compartment is not readily accessible to driver; lettering or identification missing; alarm does not function properly when compartment is locked and vehicle is running.

Section 436.APPENDIX H Mirrors through Rub Rails

a) MIRRORS

PROCEDURES/SPECIFICATIONS:

Every required mirror shall be of reflecting material protected from abrasion, scratching, and corrosion. Mirror shall be firmly installed on stable supports so as to give a clear, stable, reflected view. Mirrors must meet all requirements of 49 CFR 571.111 to provide the required field of view.

Convex crossover mirrors can be combined with either the right or left side safety mirrors provided the convex mirror meets the field of view and size requirements of 49 CFR 571.111.

REJECT VEHICLE IF:

Mirrors do not meet requirements; defective; excessively clouded; not securely attached; cracked or broken glass.

1) Exterior

A) Rear View Driving

PROCEDURES/SPECIFICATIONS:

Shall be mounted outside on the left and right sides of the bus. Must give seated driver a view to the rear along each side of the bus. Must be at least 50 square inches of usable flat rectangular reflecting surface on each side. (See 49 CFR 571.111.)

If the rear view driving mirror does not provide the required field of view, a convex driving mirror must be installed to expand the driving view to the rear. However, the usable flat reflecting surface must be rectangular and must maintain at least 50 square inches.

REJECT VEHICLE IF:

Rear view driving mirror does not meet requirements; defective; excessively clouded; not adjustable; not securely attached; cracked or broken glass.

B) Right Side Safety

PROCEDURES/SPECIFICATIONS:

An outside convex mirror, either alone or in combination with the crossover mirror system, shall give the seated driver a view of the roadway along the right side of the bus between the most forward surface of the right front tire and the rear of the rear bumper. The projected reflecting surface of this convex mirror shall be at least 40 square inches (7⅛ inches diameter if a circle).

Extra-wide-angle convex mirror heads are permissible on right front corner only.

REJECT VEHICLE IF:

Right side safety mirror does not meet requirements; defective; excessively clouded; not securely attached; cracked or broken glass.

C) Left Side Safety (Optional)

PROCEDURES/SPECIFICATIONS:

A convex mirror is required if the left rear view driving mirror system does not give the seated driver a reflected view of the roadway along the left side of the bus between the front edge of the driver's seat (in most forward position) and the rear of the rear bumper. The convex mirror shall be installed so that either alone or in combination with the rear view driving mirror gives the seated driver the proper view.

REJECT VEHICLE IF:

Left side safety mirror does not meet requirements; defective; excessively clouded; not securely attached; cracked or broken glass.

D) Crossover

An outside convex mirror shall give the seated driver a view of the front bumper and the area of roadway in front of the bus. The projected reflecting surface of this mirror shall be at least 40 square inches (7⅛ inch diameter if a circle). (See 49 CFR 571.111.)

Exception: If the seated driver of a forward control bus has a direct view of the front bumper and the area of roadway in front of the bus, a crossover mirror is optional.

REJECT VEHICLE IF:

Crossover mirror does not meet requirements; defective; excessively clouded; not adjustable; not securely attached; cracked or broken glass.

2) Interior

PROCEDURES/SPECIFICATIONS:

Must have a clear view safety glass mirror, metal backed and framed with rounded corners and edges that shall be padded. Shall afford a good view of the interior and roadway to the rear.

REJECT VEHICLE IF:

Interior mirror does not meet requirements; defective; excessively clouded; not adjustable; not securely attached; cracked or broken glass.

b) PAINT REQUIREMENTS

PROCEDURES/SPECIFICATIONS:

The exterior of any MFSAB can be any color except national school bus glossy yellow.

Each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide retroreflective tape, including roof exits. The retroreflective tape must be on the exterior surface of the bus. Required retroreflective tape can be located on the rear bumper or the rub rail, provided the space under the emergency exit door or emergency exit window is not adequate to accommodate the tape or provided rivets are present that prohibit the tape from being applied properly. (49 CFR 571.217)

REJECT VEHICLE IF:

Paint does not meet color requirements or is in poor condition (i.e., faded, peeling or rusted). MFSAB is painted national school bus glossy yellow.

c) PEDALS (ACCELERATOR AND BRAKE)

PROCEDURES/SPECIFICATIONS:

Minimum 1½ inch clearance with pedal fully depressed. All pedals must be covered with rigid nonslip material.

Pedal extensions are allowed. They must be securely attached and covered with rigid nonslip material.

REJECT VEHICLE IF:

Pedals do not meet clearance requirements or are not covered with rigid nonslip material. Pedal extensions are not securely attached.

d) PROJECTIONS

1) Exterior

PROCEDURES/SPECIFICATIONS:

Entire rear and bumper area of bus must be nonhitchable.

AGENCY NOTE: "Nonhitchable" is defined as the rear of the bus being designed and maintained to prevent or discourage riding or grasping rear of bus so as to "hitch" rides.

REJECT VEHICLE IF:

Exterior projections do not comply with nonhitchable requirements.

2) Interior

PROCEDURES/SPECIFICATIONS:

Interior shall be free of all dangerous projections.

Optional equipment (e.g., video camera) that is located in the bulkhead area of the bus and not flush with the interior walls must meet the following requirements:

A) Must not interfere with occupants entering or exiting the bus.

B) Must not be located in driver's head impact zone.

C) Must not obstruct required lettering.

Additional projections (e.g., external speakers, air conditioners) located within 59 inches from the floor shall be padded to prevent injury. This includes inner lining of ceiling and walls.

Installation of book or luggage racks is not permissible.

Flush mounted speakers are exempt from padding requirements.

REJECT VEHICLE IF:

Optional equipment in bulkhead does not meet requirements.

Remaining projections are not padded (e.g., external speakers).

Book or luggage racks are present.

e) RADIO SPEAKERS

Radio/stereo speakers cannot be located within four feet of the rearmost position of the driver's seat.

REJECT VEHICLE IF:

Speakers are located in the prohibited area or are not deactivated.

f) REFLECTORS

1) Front

PROCEDURES/SPECIFICATIONS:

Two yellow or amber rigid or sheet type (tape) reflex reflectors shall be securely attached on the front of the body near the lower left and right hand corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

These front reflectors shall be located between 15 and 60 inches above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the bus. No part of the required reflecting material may be obscured by a lamp, mirror, bracket or any other portion of the bus.

No part of the required reflecting material may be more than 11.8 inches (300 mm) inboard of the outer edge of the nearest rub rail.

The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J 594; otherwise, it shall display at least seven square inches of reflecting material (about 3 inch diameter if a solid circle).

A sheet type (tape) reflex reflector may conform to the surface on which it is installed but its forward projected reflecting area shall be at least eight square inches.

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

2) Left Side

PROCEDURES/SPECIFICATIONS:

One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On buses more than 30 feet long, one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches in diameter.

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

3) Right Side

PROCEDURES/SPECIFICATIONS:

One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (See Section 12-202 of the Illinois Vehicle Equipment Law.)

On buses more than 30 feet long, one amber reflector must also be provided at or near midpoint between front and rear side reflector. (See 49 CFR 571.108.)

All reflectors must measure at least three inches in diameter.

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

4) Rear

PROCEDURES/SPECIFICATIONS:

Two red reflectors on rear body within 12 inches of lower right and lower left corners. (See Section 12-202 of the Illinois Vehicle Equipment Law.) Minimum three inches in diameter.

Exception: Buses that measure less than 80 inches wide are exempt. (See 49 CFR 571.108.)

REJECT VEHICLE IF:

Missing or damaged reflective material; not located or positioned as required.

g) RUB RAILS

There shall be one rub rail, located approximately at seat level, that shall extend from the rear of the service entrance completely around the bus body without interruption, except at functioning doors or a rear engine compartment, to a point of curvature near the front of the body on the left side.

There shall be one rub rail on each side, located approximately at the floor line, that shall extend over the same longitudinal distance as the rub rail located at the seat level.

More than two rub rails may be installed on sides and rear of bus.

Rub rails of longitudinally corrugated or ribbed steel at least 3.9 inches (100 mm) wide shall be fixed on the outside of the bus.

Exceptions:

1) Rub rail need not extend across wheel housing.

2) Rub rail may terminate at the point of curvature at the right and left rear corners of the body.

REJECT VEHICLE IF:

Rub rails are missing; not firmly attached; incorrect color; or incorrect number of rails.

Section 436.APPENDIX I Seat Belts through Steering System

a) SEAT BELTS

PROCEDURES/SPECIFICATIONS:

Each MFSAB shall be equipped with a retractable lap belt assembly for the driver's seat. (See Section 12-807 of the Illinois Vehicle Equipment Law.) A shoulder harness is optional. Belt material, buckle, tongue, etc., of each driver's belt shall remain above floor when not in use.

Passenger safety belts that meet 49 CFR 571.222 are required on any MFSAB that has a GVWR of 10,000 pounds or less. Passenger safety belts are optional on any MFSAB that has a GVWR of more than 10,000 pounds. However, optional safety belts installed on any MFSAB are required to meet 49 CFR 571.222. At all times, each seat belt shall be readily available for quick and easy use. Retractors must be the emergency locking type. Each belt assembly shall be clean.

REJECT VEHICLE IF:

Seat belts are not secured, not adjustable, cracked, broken, frayed, torn or dirty. Retractor or buckle does not operate properly.

b) SEAT, DRIVER'S

PROCEDURES/SPECIFICATIONS:

The driver's seat shall be rigidly positioned and have a forward and backward adjustment without the use of tools or other nonattached devices.

Seat padding and covering shall be in good condition (i.e., free from holes and tears). Seat cushions shall be securely fastened to the seat frame.

Optional: Bus may be equipped with a durable safety belt webbing cutter with a full-width handgrip and a protected, replaceable, or non-corrodible blade. The webbing cutter must be mounted in a location accessible to the seated driver in an easily detachable manner.

REJECT VEHICLE IF:

Driver's seat is not securely anchored to floor; in poor condition; adjustment mechanism does not function properly. Optional webbing cutter does not meet requirements.

c) SEATS, PASSENGER

PROCEDURES/SPECIFICATIONS:

Each seat is required to conform to FMVSS 222 (49 CFR 571.222).

Each seat shall be constructed so that the shortest straight-line distance from the top of the seat back to the empty seat cushion is 28" when measured near the transverse center of the seat at the front of the seat back and along the angle of rearward inclination of the seat back. Since the height of a seat back is difficult to measure precisely on a repeated basis, a measurement of 27.5" or more is deemed acceptable.

All seats shall be forward facing and securely fastened to part or parts of bus that support them. No bus shall be equipped with jump seats or portable seats (does not include child restraint systems). The center-to-center seat spacing shall be no more than 24 inches, measured from the seating reference point to the seat back or guard barrier in front of the seat. Padding and covering shall be of fire resistant material. Minimum 36 inch headroom for sitting position above top of undepressed cushion line on all seats (measured vertically not more than seven inches from side wall at cushion height and at front and rear center of cushion). Backs of all seats of similar size shall be of the same width at top and the same height from floor and shall slant at the same angle with the floor. The top and side rails and seat backs shall be padded to cushion level. Seat padding and covering shall be in good condition (i.e., free from holes and tears). Seat cushions shall be securely fastened to the seat frame. (49 CFR 571.222)

Seat bottom cushions must also be equipped with a self-latching mechanism that is designed to flip up or be removable without tools.

REJECT VEHICLE IF:

Passenger seats do not meet requirements; are not firmly attached to body; seat frames are broken; cushions not firmly attached; padding and covering are not fire

resistant. Padding or covering is loose, in poor condition, or missing; seats are torn or have holes; minimum seat dimensions or seat spacing is not in compliance.

d) STEERING SYSTEM

1) Exterior

A) Kingpins

PROCEDURES/SPECIFICATIONS:

Raise vehicle so as to unload kingpins (brakes should be applied to eliminate wheel bearing looseness). Either grasp wheel at top and bottom or use a bar for leverage. Attempt to rock wheel in and out. Check movement at extreme top or bottom of tire. If movement exists, place a dial indicator, tape measure, or a fixed device at the wheel and measure amount of movement.

Place leverage bar under tire. Raise bar to check for vertical movement between spindle and support axle.

REJECT VEHICLE IF:

Wheel bearing movement exceeds ¼ inch or kingpin movement exceeds:

Wheel Size (in inches)	Max. Allowed (in inches)
16 or less	¼
16.1 to 18	⅜
over 18	½

B) Linkage

PROCEDURES/SPECIFICATIONS:

For buses with single "I" beam or tube type front axle, hoist bus under axle. For buses with twin "I" beam type front axles or with "A frame" control arms, each axle or arm must be hoisted

independently so as to load the ball joints. Grasp front and rear of tire and attempt to shake assembly right and left to determine linkage looseness. Measure movement of wheel.

Inspect for damage to or looseness in the following linkage components:

i) Ball Joints

ii) Cotter Pins

iii) Drag Link

iv) Idler Arm

v) Pitman Arm

vi) Steering Box

vii) Tie Rod

viii) Tie Rod Ends

REJECT VEHICLE IF:

Measurement is found to be in excess of:

Rim Diameter (in inches)	Max. Allowable Movement (in inches)
16 or less	¼
17 and 18	⅜
over 18	½

Any linkage component is bent, welded, loose, insecurely mounted or missing.

C) Power Steering

PROCEDURES/SPECIFICATIONS:

Manually and visually inspect:

i) Belts

ii) Cylinders

iii) Fluid Level

iv) Hoses

v) Mounting Brackets

vi) Power Assist

vii) Pump

REJECT VEHICLE IF:

Steering components are:

i) Loose, frayed, cracked, missing; incorrect belts

ii) Loose and/or leaking

iii) Low fluid level

iv) Cracked, leaking, rubbed by moving parts

v) Cracked, loose or broken

vi) No assist is evident

vii) Loose, leaking

D) Toe-In/Toe-Out

PROCEDURES/SPECIFICATIONS:

With wheels held in a straight ahead position, drive vehicle slowly over the approved drive-on side slip indicator.

Excessive toe-in or toe-out is a general indication that a complete check should be made of all front wheel alignment factors (caster, camber, steering axis inclination).

REJECT VEHICLE IF:

More than 30 feet per mile on the approved side slip indicator.

E) Wheel Bearings

PROCEDURES/SPECIFICATIONS:

With the front end of the vehicle lifted so as to load any ball joints, grasp the front tire top and bottom, rock it in and out. Record movement. To verify that any looseness detected is in the wheel bearing, notice the relative movement between the brake drum or disc and the backing plate or splash shield.

AGENCY NOTE: Wheel bearing play can be eliminated by applying service brakes.

REJECT VEHICLE IF:

Relative movement between drum and backing plate, measured at tire, is ¼ inch or more.

2) Interior

A) Column

PROCEDURES/SPECIFICATIONS:

Inspect to determine that column support bracket is properly tightened and all bolts are present.

REJECT VEHICLE IF:

Column support bracket is not properly tightened or bolts are missing.

B) Lash

PROCEDURES/SPECIFICATIONS:

With road wheels in straight ahead position, turn steering wheel until a turning movement can be observed at the left road wheel. Slowly reverse steering wheel motion and measure lash.

REJECT VEHICLE IF:

Lash exceeds following acceptable limits:

Steering Wheel Max. Diameter (inches)	Acceptable Lash (inches) Measured at Max. Circumference
16 or less	2
18	2¼
20	2½
22	2¾

C) Shaft

PROCEDURES/SPECIFICATIONS:

Grasp steering wheel with both hands and attempt to move shaft up and down.

REJECT VEHICLE IF:

Steering shaft moves up and down.

AGENCY NOTE: Steering shafts on International-Navistar vehicles will move up and down but must be within manufacturer's tolerances.

D) Steering Wheel

PROCEDURES/SPECIFICATIONS:

Inspect steering wheel condition.

REJECT VEHICLE IF:

Steering wheel is damaged. Any spokes are missing or reinforcement ring is exposed.

E) Travel

PROCEDURES/SPECIFICATIONS:

Turn steering wheel through a full right and left turn checking for binding, jamming and complete travel left and right.

REJECT VEHICLE IF:

Binding or jamming is present. Does not complete full turn from left to right. Tire rubs on fender or frame during turn.

Section 436.APPENDIX J Steps, Entrance through Suspension

a) STEPS, ENTRANCE

PROCEDURES/SPECIFICATIONS:

The bottom step in the entranceway shall not extend beyond the exterior of the body. With all seats empty, the bottom step shall be not less than 300 mm (11.8") and not more than 400 mm (15.7") from the roadway. At least two steps shall be provided. The steps shall be enclosed. Risers shall be approximately equal. Each step, including the floor at the top riser, shall be surfaced with a nonskid material with a 40 mm (1.6") to 80 mm (3.1") white nosing as an integral piece.

REJECT VEHICLE IF:

Steps or risers are not solid. Steps, risers or nonskid material covering is missing, loose, or not in good condition. White nosing is missing or in poor condition.

b) STOP SIGNAL ARM PANEL (not applicable)

PROCEDURES/SPECIFICATIONS:

MFSAB cannot be equipped with stop signal arm panels.

REJECT VEHICLE IF:

Stop signal arm panel is present.

c) STORAGE COMPARTMENT (optional)

PROCEDURES/SPECIFICATIONS:

Covered, fire-resistant container securely fastened of adequate strength and capacity for tire chains and tools for minor emergency repairs.

REJECT VEHICLE IF:

If installed, does not meet requirements.

d) SUN VISOR

PROCEDURES/SPECIFICATIONS:

Shall be interior, adjustable and not less than five inches by 16 inches. Must be installed above windshield.

Not required to be transparent, but must not interfere with view of interior rear view mirror.

REJECT VEHICLE IF:

Sun visor does not meet requirements.

e) SUSPENSION

1) Shocks

PROCEDURES/SPECIFICATIONS:

Equipped with front and rear heavy-duty, double acting shock absorbers.

REJECT VEHICLE IF:

Shocks are missing, broken, or have severe leakage (not slight dampness). Mounting bolts or mounts are broken or loose, or rubber bushing is partially or completely missing.

2) Springs

PROCEDURES/SPECIFICATIONS:

A) Coil

Visually inspect:

i) Spring

ii) Control arms

iii) Torque arms (rear)

REJECT VEHICLE IF:

Coil is missing, is disconnected, is broken, has loose bushings, is welded or is damaged.

B) Leaf

PROCEDURES/SPECIFICATIONS:

With use of a pry bar and using frame as a pivot, attempt to pry front and rear spring attachments and check for movement. Front of vehicle must be jacked up on chassis for checking front suspension. Visually inspect:

i) Springs

ii) Shackles

iii) Hangers

iv) U-bolts

v) Center bolts

vi) Bushings or pivot

REJECT VEHICLE IF:

Springs are missing or broken. Shackles or U-bolts worn or loose. Center bolt in springs sheared or broken. Steering stops allow tire to rub on frame or metal. Any leaves are cracked or missing. Any shackle, shackle pins, hangers, or U-bolts are worn, loose or missing.

C) Torsion Bar (Stabilizer Bar)

PROCEDURES/SPECIFICATIONS:

Visually inspect:

i) Torsion bar

ii) Mounting brackets

iii) Control arms

iv) Torque arms (if applicable − rear)

v) Stabilizer bars (if applicable)

REJECT VEHICLE IF:

Torsion bar is missing, disconnected, broken, loose, welded, damaged.

D) Air Suspension

PROCEDURES/SPECIFICATIONS:

Visually inspect:

i) Air bag/bellows

ii) Mountings

iii) Air lines

iv) Leveling devices

REJECT VEHICLE IF:

Air leaks are present; improper inflation; vehicle is resting on one or both axles; vehicle is not level (tilting to either side); air bag/bellow belting is exposed; air lines are excessively worn; loose mountings.

Section 436.APPENDIX K Tow Hooks (optional) through Warning Devices

a) TOW HOOKS (optional)

1) Front

PROCEDURES/SPECIFICATIONS:

A front tow hook must not extend beyond the front of the front bumper. Each front tow hook not fastened securely to the chassis frame shall be connected to the frame by suitable braces.

REJECT VEHICLE IF:

Tow hooks extend beyond bumper; not securely attached.

2) Rear

PROCEDURES/SPECIFICATIONS:

Any tow hooks installed on the rear shall be attached or braced to the chassis frame or to an equivalent structural member of an integral type bus. A tow hook must not extend beyond the rear face of the rear bumper.

REJECT VEHICLE IF:

Tow hooks extend beyond bumper; not securely attached.

b) TRASH CONTAINER (optional)

PROCEDURES/SPECIFICATIONS:

A trash container may be present. If present, it must be securely stored in the vehicle and must not obstruct an aisle.

REJECT VEHICLE IF:

Optional trash container does not meet requirements.

c) UNDERCOATING

PROCEDURES/SPECIFICATIONS:

Fire resistant undercoating material applied to entire underside of body, front fenders, wheel wells, floor members, and side panels below floor level. Non-metallic parts need not be coated.

REJECT VEHICLE IF:

Undercoating does not meet requirements.

d) VENTILATION

PROCEDURES/SPECIFICATIONS:

Body must be equipped with ventilating system capable of supplying proper quantity of air under operating conditions.

REJECT VEHICLE IF:

Air is obstructed; not securely fastened; not covered.

e) WARNING DEVICES

PROCEDURES/SPECIFICATIONS:

1) Emergency warning devices are required to be carried on any second division motor vehicle weighing more than 8,000 pounds and operated upon any highway outside an urban district. The warning devices must be securely stored.

The warning devices required for use when lighted lamps are required (see Section 12-201(b) of the Illinois Vehicle Equipment Law) shall consist of:

A) At least three liquid-burning flares and three red-burning 15-minute fusees; or

B) Three red electric lanterns; or

C) Three portable red emergency reflectors that meet FMVSS No. 125.

2) In addition, the following warning devices are also required for use when lighted lamps are not required (see Section 12-201(b) of the Illinois Vehicle Equipment Law):

A) Two red cloth flags (not less than 12 inches square with standards to support flags); or

B) Two portable emergency reflectors that meet FMVSS No. 125. (The reflectors in subsection (b)(1)(C) qualify for this option.) (See Section 12-702(a) and (c) of the Illinois Vehicle Equipment Law.)

The warning devices must be securely stored.

REJECT VEHICLE IF:

Required warning devices are not present or are in poor condition.

Section 436.APPENDIX L Wheels through Windshield Wipers

a) WHEELS

1) Housings

PROCEDURES/SPECIFICATIONS:

Full open type attached to floor sheet to prevent water, fumes or dust entering the body. Inside height should not exceed 10 inches above floor line. Housings shall allow for unimpeded wheel and tire service or removal. Housing shall provide clearance for installation and use of tire chains on the dual or single tires installed on the rear wheels.

Inspect tire and road wheel assemblies.

REJECT VEHICLE IF:

Wheel housings do not meet clearance requirement; wheel housings are not firmly secured; holes are present.

A tire or wheel is rubbing against any portion of the suspension, chassis or body.

2) Rim

PROCEDURES/SPECIFICATIONS:

Inspect all wheel and rim bolts, nuts, studs, lugs, locking rings, etc. Each cover, cap or decorative ring that obscures any of these items must be removed prior to the inspection.

Inspect for visible wheel damage.

REJECT VEHICLE IF:

Any wheel or rim securing device such as a nut, bolt, stud, lug, ring or other type securing device is loose, missing or cracked.

Wheel locating holes are elongated, oversized or "wallowed out". Any part of a wheel or rim is cracked, repaired by welding or rewelding, or damaged so as to cause unsafe operation of the vehicle.

3) Tires

PROCEDURES/SPECIFICATIONS:

Inspect tire for proper inflation (i.e., flat tire).

A regrooved, retreaded or recapped tire shall not be on the front steering axle.

A tire with restricted use marking is prohibited (e.g., "NHS" or "SL" following size marking, "Off Highway", "Farm Use", "Racing Only", etc.).

No MFSAB shall be equipped with any tire that is so worn that tread configuration is absent on any part of the tire in contact with the road surface.

Inspect for tread wear:

A) Check for the presence of tread wear indicators.

B) For tires without tread wear indicators, use tread depth gauge to measure groove depth.

Steering (Front) and Drive (Rear) Axles: Measure tread depth at any point on a major tread groove.

C) For tires without tread wear indicators and with noncircumferential grooves, or "spaces", between the tread elements (as in snow, mud, lug knob, or traction treads):

Steering (Front) and Drive (Rear) Axles: Measure tread depth at any point on a major tread groove.

D) Inspect tire for bald, partially bald, cupped, dished or unevenly worn areas.

E) The measurements shall not be made where the tie bars, humps or fillets are located.

AGENCY NOTE: "Bald" means without a groove.

Inspect for visible cord damage and exposure of ply cords in sidewalls and treads, including belting material cords.

Inspect for evidence of tread or sidewall separation.

Inspect for regrooved or recut treads.

AGENCY NOTE: 49 CFR 369 requires tires marked "REGROOVABLE" to have sufficient tread rubber that, after regrooving, cord material below the grooves shall have a protective covering of tread material at least 3/32 inch thick.

Inspect tires for legible markings showing size designation and carcass construction.

AGENCY NOTE: "R" in size designation shows radial construction. More plies at tread than sidewall shows belted construction. Same number of plies at tread and sidewall, without a belted or radial indication, shows plain bias construction.

Tires on same axle must be of same construction.

Inspect tires for size designation and for matched construction.

AGENCY NOTE: "Construction" refers to bias, bias belted or radial arrangement of ply cords in the tire carcass.

Inspect each single dual tire assembly.

A mixture of regular and mud-and-snow treads must be the same on both sides of axle.

When radial and conventional (i.e., bias) tires are both used on a vehicle, one of the following two requirements shall be met:

A) On vehicles with one single wheel axle and one or more dual wheel axles, radial tires shall be used on the steering (i.e., front) axle only.

B) On vehicles having two single wheel axles, radial tires shall be used on the rear axle only.

A tube built only for bias tire shall not be installed in a radial tire. Red color shall not be added to stem of a "bias" tube. (Valve stem of tube for radial tire is either marked "radial" or has red ring or is painted red.) A "radial" tube and flap may be used in a bias tire.

Inspect valve stems.

REJECT VEHICLE IF:

Improper inflation (flat tire).

Regrooved, retreaded or recapped tire is located on front steering axle.

Restricted marking is present.

Any part of tire that is in contact with road surface is absent of tread configuration.

A) Tread wear indicators contact road at any point on a major tread groove.

B) On steering (front) axle: Tread depth is less than 4/32 inch when measured at any point on a major tread groove.

On drive (rear) axle: Tread depth is less than 2/32 inch when measured at any point on a major tread groove.

C) On steering axle: Tread depth is less than 4/32 inch when measured at any point on a major tread groove.

On drive axle: Tread depth is less than 2/32 inch when measured at any point on a major tread groove.

D) The tire has bald, partially bald, cupped, dished or unevenly worn areas.

A broken or cut cord can be seen. Rubber is worn, cracked, cut or otherwise deteriorated or damaged so that a cord can be seen, either when the tire is not touched or when the edges of the crack, cut or damage are parted or lifted by hand.

Tire has bump, bulge, knot or other evidence of partial carcass failure, air seepage or loss of adhesion between carcass and tread or sidewall.

Tread has been regrooved or recut on a tire that does not have the word "REGROOVABLE" molded on or into both sides of the tire.

A tire on a road wheel does not exhibit a legible size marking and a legible construction marking.

Tires on the same axle are not of same construction.

A tire exceeds the diameter (not width) of its mate by ½ inch (¼ inch radius) or more; or one tire touches its mate.

A mixture of regular and mud-and-snow treads are not the same on both sides of the axle.

Requirements for using both radial and conventional tires on a vehicle are not met.

A tube is built only for bias tire but installed in a radial tire.

A valve stem leaks; is cracked; is either damaged or positioned so as to hamper pressure checking or inflation; shows evidence of wear because of misalignment.

b) WINDOWS

PROCEDURES/SPECIFICATIONS:

1) All applicable provisions of 49 CFR 571.205 apply to the optional laminated safety glass and also to any plastic materials used in a multiple glazed unit.

Glazing shall be marked as follows pursuant to 49 CFR 571.205:

A) Windshield − "AS 1" Glass

B) Driver's Window − "AS 1" Glass or "AS 2" Glass

C) Driver's door − "AS 1" Glass or "AS 2" Glass

D) All other locations − "AS 1" Glass, "AS 2" Glass, or "AS 3" Glass.

REJECT VEHICLE IF:

Windows do not meet requirements.

2) Emergency (Also see EMERGENCY EXITS)

PROCEDURES/SPECIFICATIONS:

When the emergency door is located on the left side, a rear emergency window shall be provided. Minimum dimensions are 16 inches high and 48 inches wide. Designed to be opened from the inside or the outside. Hinged on top, designed and operated to insure against accidental closing in an emergency. Inside handle shall provide for quick release. Outside handle shall be nondetachable and nonhitchable. When locked or not fully latched, window shall actuate alarm audible and visible to driver. No cutoff switch allowed.

Optional emergency windows are allowed. They must be labeled "Emergency Exit" in letters at least two inches high, of a color that

contrasts with its background, located at the top of or directly above the window on the inside surface of the bus.

Optional emergency windows must be equipped with an audible alarm activated when window is locked or not fully latched.

REJECT VEHICLE IF:

Operating mechanisms do not function. Alarm does not function. Glass is cracked or broken (see EMERGENCY EXIT − Alarms and Locks).

3) Rear

PROCEDURES/SPECIFICATIONS:

All rear glazing shall be the fixed type. No portion of any rear window shall display any lettering, numerals or symbols that may obstruct the driver's view.

REJECT VEHICLE IF:

Glass is cracked or broken. Visibility through rear windows is obstructed.

4) Side

PROCEDURES/SPECIFICATIONS:

Each side window shall provide unobstructed emergency opening at least 9 inches high and 22 inches wide, obtained either by lowering window or by use of knock-out type split sash.

Window latches must be in proper working order.

Optional: Plexiglass is allowed on side windows.

REJECT VEHICLE IF:

Side windows do not meet emergency opening requirements. Window does not open easily. Glass is cracked or broken. Stop lines are missing.

Window latches do not operate properly.

5) Windshield

PROCEDURES/SPECIFICATIONS:

Shall be installed between front corner posts and must be unobstructed. Non-reflective tinted film may be used along the uppermost portion of the windshield but must not extend more than six inches down from the top of the windshield. (See Sections 12-501 and 12-503 of the Illinois Vehicle Equipment Law.) Windshield shall be slanted to reduce glare.

REJECT VEHICLE IF:

Windshield is not firmly sealed or attached. Glass is broken, cracked or discolored (not including allowed tint). "Star chip" is present that measures more than one inch in diameter.

c) WINDSHIELD WASHER

PROCEDURES/SPECIFICATIONS:

Windshield washer shall effectively clean entire area covered by both wipers.

REJECT VEHICLE IF:

Windshield washer does not effectively clean entire area or does not operate properly.

d) WINDSHIELD WIPERS

PROCEDURES/SPECIFICATIONS:

Wipers shall be either two speed or variable speed with non-glare arms and blades. Blades need not be individually powered.

REJECT VEHICLE IF:

Windshield wipers do not cover entire cleaning area. Blades are damaged, torn or hardened, or rubber wiping element has broken down. Wiper fails to park properly when shut off.

BOARD OF HIGHER EDUCATION

NOTICE OF EMERGENCY RULES

1) Heading of the Part: Private Business and Vocational Schools

2) Code Citation: 23 Ill. Adm. Code 1095

3)

Section Numbers:	Emergency Action:
1095.10	New
1095.20	New
1095.30	New
1095.40	New
1095.50	New
1095.60	New
1095.70	New
1095.80	New
1095.90	New
1095.100	New
1095.110	New
1095.120	New
1095.200	New
1095.210	New
1095.220	New
1095.230	New
1095.240	New
1095.250	New
1095.260	New
1095.270	New

4) Statutory Authority: Implementing and authorized by the Private Business and Vocational Schools Act of 2012 [105 ILCS 426]

5) Effective Date of Rules: February 8, 2012

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: Upon the adoption of proposed rules.

7) Date Filed with the Index Department: February 8, 2012

8) A copy of the emergency rules, including any material incorporated by reference, is on file in the Board's principal office and is available for public inspection.

9) Reason for Emergency: This is an emergency due to the short time frame between passage of Public Act 97-560 [105 ILCS 426] and the transfer of the regulatory program from the State Board of Education to the Board of Higher Education. The 97th General Assembly passed Senate Bill 1795, the Private Business and Vocational Schools Act of 2012, on November 9, 2011. Governor Quinn approved the law on December 30, 2011, and the transfer went into effect on February 1, 2012.

10) A Complete Description of the Subjects and Issues Involved: In general, a private business and vocational school offers courses of instruction for which tuition is charged to prepare students to follow a trade, pursue training for an occupation, and to improve skills and abilities relative to a career or occupation. State review and approval prior to operating a private business and vocational school are required. Upon meeting the criteria for a permit of approval, the school is issued a five-year permit and agrees to submit annual renewal applications during the term of the permit. At the end of the five years, the school will submit an updated application for approval to the Board of Higher Education.

Private business and vocational schools, once approved, are authorized to award certificates of completion in one or more programs of study consistent with the agreed upon approval of the school. A certificate signifies the graduate has satisfactorily completed a program of study that is beyond the secondary school level, but is not a postsecondary degree program.

11) Are there any proposed amendments to this Part pending? No

12) Statement of Statewide Policy Objective: The emergency rule does not create or expand a State mandate as defined in Section 3 of the State Mandates Act [30 ILCS 805/3].

13) Information and questions regarding these rules shall be directed to:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield, Illinois 62701
helland@ibhe.org

217/557-7358

Or

BOARD OF HIGHER EDUCATION

NOTICE OF EMERGENCY RULES

Dr. Bob Blankenberger, Deputy Director of Academic Affairs
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield, Illinois 62701
blankenberger@ibhe.org

217/557-7350

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

BOARD OF HIGHER EDUCATION

NOTICE OF EMERGENCY RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1095
PRIVATE BUSINESS AND VOCATIONAL SCHOOLS

SUBPART A: SCHOOL APPROVAL

Section
1095.10 Introduction
EMERGENCY
1095.20 Institutions Required to Receive Approval
EMERGENCY
1095.30 Definitions
EMERGENCY
1095.40 Criteria for Evaluation of the Application for a Permit of Approval
EMERGENCY
1095.50 Procedures for Obtaining a Permit of Approval
EMERGENCY
1095.60 Criteria for Evaluation of the Application for a New Program
EMERGENCY
1095.70 Requirements for Technologically Mediated Instruction Offered from a Distance
EMERGENCY
1095.80 Procedures for Obtaining Approval to Award One or More New Certificates
EMERGENCY
1095.90 Change of Location
EMERGENCY
1095.100 Classroom Extension
EMERGENCY
1095.110 Change of Ownership
EMERGENCY
1095.120 School Application and Renewal Fees
EMERGENCY

SUBPART B: MAINTENANCE OF APPROVAL

Section
1095.200 Annual Renewal

BOARD OF HIGHER EDUCATION

NOTICE OF EMERGENCY RULES

EMERGENCY
1095.210 Surety Bond
EMERGENCY
1095.220 Liability Insurance
EMERGENCY
1095.230 Lack of Compliance
EMERGENCY
1095.240 Disclosures
EMERGENCY
1095.250 Student Complaints
EMERGENCY
1095.260 Cease and Desist Orders
EMERGENCY
1095.270 School Closing and Student Transcripts
EMERGENCY

AUTHORITY: Implementing and authorized by the Private Business and Vocational Schools Act of 2012 [105 ILCS 426].

SOURCE: Adopted by emergency rulemaking at 36 Ill. Reg. 3067, effective February 8, 2012, for a maximum of 150 days.

SUBPART A: SCHOOL APPROVAL

Section 1095.10 Introduction
EMERGENCY

The State of Illinois recognizes the importance and significant public contributions of private schools offering occupational training to its citizens. Effective February 1, 2012, the General Assembly has delegated responsibility for rulemaking and for approving and monitoring these schools to the Board of Higher Education pursuant to the Private Business and Vocational Schools Act of 2012 [105 ILCS 426], hereinafter referred to as the Act. The Act provides for the establishment of rules and standards that schools and individuals must meet prior to the issuance of original permits of approval and the renewal of such permits.

Section 1095.20 Institutions Required to Receive Approval
EMERGENCY

BOARD OF HIGHER EDUCATION

NOTICE OF EMERGENCY RULES

No person or groups of persons subject to the *Act* and this Part *may establish and operate or be permitted to become incorporated for the purpose of operating a private business and vocational school without obtaining from the Board a permit of approval, provided that a permit of approval is not required for a program that is devoted entirely to religion or theology or a program offered by an institution operating under the authority of the Private College Act, the Academic Degree Act, or the Board of Higher Education Act* (Section 20 of the Act). "Private business and vocational school" or "school" means:

a) *An educational institution privately owned or operated by a person, partnership, corporation, or other entity offering courses of instruction for which tuition is charged, whether such courses of instruction are offered on site, through correspondence, by distance education, or by other methods, to prepare individuals to do any of the following:*

1) *To follow a trade or artistic occupation.*

2) *To pursue a manual, mechanical, technical, industrial, business, commercial, office, personal service (other than nursing), or other non-professional occupation.*

3) *To follow a profession, if the profession is not subject to licensing or registration under any existing State statute requiring the licensing or registration of persons practicing such profession or if the school is not subject to the regulation of the agency with such licensing or registration authority.*

4) *To improve, enhance, or add to the skills and abilities of the individual relative to occupational responsibilities or career opportunities* (Section 15 of the Act).

b) A school which has not provided instruction in any approval year and desires to resume operations in Illinois. Such school shall file a permit of approval application and pay the permit of approval application fee.

c) A new or additional non-degree program of study. Such new or additional non-degree program must be approved by the Board as well.

d) The following are exempted from approval:

1) *Any institution devoted entirely to the teaching of religion or theology* (Section 30 of the Act).

2) *Any in-service program of study and subject offered by an employer, provided that no tuition is charged and the instruction is offered only to employees of the employer* (Section 30 of the Act).

3) *Any educational institution that:*

   A) *Enrolls a majority of its students in degree programs and has maintained an accredited status with a regional accrediting agency that is recognized by the U.S. Department of Education; or*

   B) *Enrolls students in one or more bachelor-level programs, enrolls a majority of its students in degree programs, and is accredited by a national or regional accrediting agency that is recognized by the U.S. Department of Education or that:*

      i) *Is regulated by the Board under the Private College Act or the Academic Degree Act or is exempt from such regulation under either the Private College Act or the Academic Degree Act solely for the reason that the educational institution was in operation on the effective date of either the Private College Act or the Academic Degree Act; or*

      ii) *Is regulated by the State Board of Education* (Section 30 of the Act).

4) *Any institution and the franchisees of that institution that exclusively offer a program of study in income tax theory or return preparation at a total contract price of no more than $400, provided that the total annual enrollment of the institution for all such courses of instruction exceeds 500 students and further provided that the total contract price for all instruction offered to a student in any one calendar year does not exceed $3,000* (Section 30 of the Act).

5) *Any person or organization selling mediated instruction products through a media, such as tapes, compact discs, digital video discs, or similar media, so long as the instruction is not intended to result in the acquisition*

of training for a specific employment field, is not intended to meet a qualification for licensure or certification in an employment field, or is not intended to provide credit that can be applied toward a certificate or degree program (Section 30 of the Act).

6) Any person, group of persons, partnership or corporation that is located outside of the State of Illinois that is or contemplates offering instruction in Illinois above the high school level is not required to obtain a permit of approval if the institution has no physical presence or a limited physical presence in the State. *In determining whether an institution has a physical presence, the Board shall require all of the following:*

A) *Evidence of authorization to operate in at least one other state and that the school is in good standing with that state's authorizing agency* (Section 30 of the Act); and

B) Evidence of accreditation by a body recognized by the U.S. Department of Education and/or the Council for Higher Education Accreditation; and

C) *Evidence that the school has a means of receiving and addressing student complaints in compliance with any federal or state requirements* (Section 30 of the Act); and

D) *Evidence that the institution is providing no instruction in this State* (Section 30 of the Act); and

E) *Evidence that the institution is not providing core academic support services, including, but not limited to, admissions, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support in this State* (Section 30 of the Act); and

F) Evidence that the institution does not maintain a physical facility in Illinois.

7) An approved school that wants to add a course to an approved program of study when the addition has a direct relationship to the existing program

and does not result in a significant change in curriculum, objectives, or resources for the program.

Section 1095.30 Definitions
EMERGENCY

"Ability to benefit" means a standard for admission by which a student who does not possess a high school diploma or GED has demonstrated that he or she can profit materially or personally from a certain course of study through passage of an ability to benefit test that has been approved by the U.S. Department of Education and administered in compliance with U.S. Department of Education guidelines related to ability to benefit test policies and procedures outlined in federal financial aid regulations. (See 34 CFR 668.145 and 668.152.)

"Act" means the Private Business and Vocational Schools Act of 2012 [105 ILCS 426].

"Board" means the Board of Higher Education established under the Board of Higher Education Act or its Division of Public Business and Vocational Schools (Section 15 of the Act). In those cases in which the term is used to refer to prior approval or lack of prior approval for a school application prior to February 1, 2012, the term "Board" shall mean the State Board of Education or State Superintendent of Education.

"Certificate of completion" or "certificate" means any designation, appellation, series of letters or words, or other symbol that signifies or purports to signify that the recipient thereof has satisfactorily completed a private business and vocational school's program of study that is beyond the secondary school level, but not a post-secondary degree program at the associate, baccalaureate, master's, doctoral, or post-baccalaureate, professional degree level (Section 15 of the Act).

"Chief managing employee" is the individual who is the head administrator or supervisor at a school's principal location (Section 15 of the Act).

"Classroom extension" means the school has existing approval or is seeking additional Board approval to offer an existing program of study at a location other than the school's principal location.

"Educational institution" or "institution" means an organization that promotes business and vocational education, even though the institution's principal effort may not be exclusively educational in nature. (Section 15 of the Act)

"Enrollment agreement" means any agreement or instrument, however named, that creates or evidences an obligation binding a student to purchase a program of study from a school (Section 15 of the Act).

"Faculty" means any individual or group of individuals who are qualified by education and experience to give expert instruction and evaluation in their specialties, to supervise curricular experiences, and to evaluate learning for credit.

"Institution size" means the total number of students enrolled in the school during a fiscal year (i.e., July 1 to June 30 of the following year) in a non-degree program of study.

"Mediated instruction" means, for the purposes of this Part, the delivery of instruction from a distance facilitated by technology, such as via teleconferencing, video-conferencing, or internet.

"Non-degree program of study" or "program of study" means any designation, appellation, series of letters or words, or other symbol that signifies or purports to signify that the recipient has satisfactorily completed an organized academic program of study beyond the secondary school level, such as a certificate, but below the associate's degree level and that does not include any recognized degree program such as an associate's, baccalaureate, master's, or doctoral degree, a post-baccalaureate, professional degree, or a post-degree certificate, such as a post-baccalaureate certificate, post-master's certificate, or post-doctoral certificate (Section 15 of the Act).

"Out-of-state school" means an institution described in this Part that is not otherwise exempted from approval and meets one of the following:

Private corporation, limited liability company, or other entity that is initially incorporated or organized under domestic laws other than the laws of this State, if required, and initially operated outside the State; or

Not-for-profit corporation, limited liability company, or other entity that maintains its primary place of business or home office outside this State.

"Program of study" as used in this definition means any academic program beyond the secondary school level, except for a program that is devoted entirely to religion or theology, a program offered by an institution operating under the authority of the Private College Act, the Academic Degree Act, or the Board of Higher Education Act, or a program of study of less than one year in length operating under the statutory authority granted to the Department of Financial and Professional Regulation (Section 15 of the Act).

"Permit of approval" means a non-transferable permit, issued by and pursuant to the authority of the Board of Higher Education through its Division of Private Business and Vocational Schools to a private business and vocational school in the name of the school, that authorizes the school to solicit students and to offer and maintain one or more courses of instruction in compliance with the provisions of the *Act and such standards and rules as may be adopted by the Board* (Section 15 of the Act).

"Tuition" means, solely for the purposes of this Part, the total student cost of the course of instruction and all other fees for services and facilities furnished or made available to the student by or through the school in connection with the student's matriculation and study and completion of a non-degree program of study, including all charges made by the school for tuition, room and board, books, materials, supplies, laboratory, shop and studio fees, and other expenses.

"Unearned prepaid tuition" means the amount paid to the school by a student or on behalf of a student for which educational services have not yet been rendered. For example, a student pays a school the total amount of $500 dollars prior to the first day of class. In this scenario, the school initially holds $500 in unearned prepaid tuition from that student. After 10% of the course is completed, the school will hold $450 in unearned prepaid tuition from that student. After 20% of the course is completed, the school will hold $400 in unearned prepaid tuition from that student and so on.

Section 1095.40 Criteria for Evaluation of the Application for a Permit of Approval EMERGENCY

The Board shall approve all schools described in Sections 1095.20(a) and (b) that are not otherwise exempted in Section 1095.20(d). *The following standard criteria are intended to measure the appropriateness of the stated educational objectives of the educational programs of*

a given institution and the extent to which suitable and proper processes have been developed for meeting those objectives. Information related to the satisfaction of the approval criteria outlined in Section 35 of the Act and this Part *must be supplied to the Board by institutions on forms provided by the Board. Additional information may be requested by the Board to determine the institution's ability to satisfy the criteria* (Section 35 of the Act).

a) *Qualifications of governing board members, owners, and senior administrators. At a minimum, these individuals must be of good moral character and have no felony criminal record* (Section 35 of the Act).

b) *Qualifications of faculty and staff* (Section 35 of the Act).

1) The education, experience and other qualifications of faculty, staff and instructors shall reasonably ensure that the students will receive education consistent with the objectives of the program of study.

2) The faculty, staff and instructors of the school shall be of good professional reputation and character.

3) Schools are required to submit faculty credentials required for teaching a program of study as part of the submission for institution's approval. Faculty do not have to be approved by the Board prior to the start of the instructional period. Individual faculty hires and their appropriate qualification will be submitted by the institution during designated reporting periods and need not be submitted prior to teaching the course. Failure to hire faculty according to the credentials outlined by the institution may be grounds for revocation of the permit of approval.

c) *Demonstration of student learning and quality of program delivery* (Section 35 of the Act).

1) Schools must show the capacity to develop, deliver, and support academic programs. Procedures and policies that will assure the effective design, conduct, and evaluation of the certificate program under the academic control of the school must be developed. Assessment plans must demonstrate that the school has identified clear and appropriate program and student learning goals and must have defined appropriate outcomes. Appropriate data must be collected and may be requested by the Board to

show the level of student learning that has occurred as a result of participation in the school's programs of study.

2) Adequate records shall be maintained by the school to show attendance, progress or grades, and consistent standards should be enforced relating to attendance, progress and performance.

3) Upon satisfactory completion of the program of study, the student shall be given the appropriate certificate by the institution, indicating that a specifically approved course of instruction or study has been satisfactorily completed by the student.

d) *Sufficiency of institutional finances* (Section 35 of the Act).
The school should be financially stable and capable of assuring the revenues needed for meeting stated objectives and fulfilling commitments to students.

e) *Accuracy, clarity, and appropriateness of program descriptions. Institutional promotional, advertising, and recruiting materials must be clear, appropriate, and accurate* (Section 35 of the Act).

1) *Prior to the issuance of a permit of approval by the Board, no person or organization shall advertise a school or any program of study or solicit prospective students unless the person or organization has applied for and received from the Board authorization to conduct such activity. If the Board has authorized such activity, all advertisements or solicitations must reference the Board's approval by stating that the school is approved by the "Division of Private Business and Vocational Schools of the Illinois Board of Higher Education"* (Section 65 of the Act).

2) Schools are required to submit information about the recruiting process and the information provided to students as a part of the submission for the school's approval. Individual recruiters do not have to be approved by the Board prior to the start of the employment period. Individual recruiters hired and their appropriate qualifications will be submitted by the institution during designated reporting periods and need not be submitted prior starting employment. The actions of the recruiters are the responsibility of the institution. Failure to adhere to the information about the recruiting process and the information provided to students outlined by

the institution in the application process may be grounds for revocation of the permit of approval.

3) The Board, at any time, may require that a school furnish proof to the Board of any of its advertising claims. If proof acceptable to the Board cannot be furnished, a retraction of the advertising claims, published in the same manner as the claims themselves, must be published by the institution and continuation of that advertising shall constitute cause for revocation of the institution's permit of approval.

4) For schools requiring approval, the objectives for the school and its programs of study must be consistent with what the school name and program titles imply.

A) The term "university" shall only be used in the name of an institution of higher education when the institutional structure includes two or more distinct colleges (e.g., College of Business, College of Education, and College of Liberal Arts and Sciences) providing instruction at the baccalaureate and graduate levels, and is involved in public service activities, scholarship and research.

B) The term "college" shall only be used to refer to a school providing instruction at the postsecondary level.

C) Program names shall adhere to the Classification of Instructional Programs (CIP) developed by the National Center for Educational Statistics.

f) *Sufficiency of facilities and equipment. At a minimum, these must be appropriate and must meet applicable safety code requirements and ordinances* (Section 35 of the Act).

1) The school shall have adequate and suitable space, equipment, and instructional materials to provide education of suitable quality.

2) The school shall be maintained and operated in compliance with all pertinent local, State and national ordinances and laws.

g) *Fair and equitable refund policies. At a minimum, these must be fair and equitable, must satisfy any related State or federal rules, and must abide by the standards established in* the *Act and* this Part (Section 35 of the Act).

1) *The Board shall establish minimum standards for a fair and equitable refund policy that must be applied by all institutions subject to* the *Act* (Section 60 of the Act).

2) *The same refund policy must be applied to all students even if they are not eligible for federal financial aid* (Section 60 of the Act).

3) *Schools that are accredited by an accrediting body recognized by the U.S. Department of Education and approved to participate in offering Federal Title IV student financial aid may apply the required federal refund policy as long as the same policy is applied to all students even if they are not eligible for federal financial aid* (Section 60 of the Act).

h) *Appropriate and ethical admissions and recruitment practices. At a minimum, recruiting practices must be ethical and abide by any State or federal rules* (Section 35 of the Act).

1) Neither the school nor its agents shall engage in advertising, sales, collection, credit or other practices of any type that are false, deceptive, misleading or unfair.

2) Schools and agents should not:

A) Use a photograph or other such illustration in public documents, sales literature or otherwise in such a manner as to convey a false impression as to size, importance or location of the institution or equipment and facilities associated with the institution;

B) Make a deceptive statement concerning other institutional activities in attempting to enroll students;

C) Quote a dollar amount in any advertisement as representative or indicative of the earning potential of graduates;

D) State or represent that students will be guaranteed employment while enrolled in the institution or that employment will be guaranteed for students after graduation;

E) Misrepresent opportunities for employment upon completion of any program of study;

F) State or represent that the programs and/or courses or exams are transferable to another institution without current documentation by an authorized official of the receiving institution.

i) *Recognized accreditation status. Accreditation with an accrediting body approved by the U.S. Department of Education may be counted as significant evidence of the institution's ability to meet curricular approval criteria* (Section 35 of the Act).

1) Any school applying for a permit of approval in the state of Illinois must specify its accreditation status.

2) The school must have the appropriate accreditation if the school offers a program where professional qualification in a field is necessary for a graduate to obtain employment.

3) New institutions without accreditation from an accrediting authority recognized by the U.S. Department of Education or the Council for Higher Education Accreditation shall provide a clearly defined plan to move from candidate to affiliate status. The plan should include the name of the accrediting organization, the basic outline of the accreditation process, and the projected time line for obtaining affiliate status within five years after the date of Board approval, unless the Board waives the original time line because it is found to be an unrealistic expectation.

j) *Meeting employment requirements in the field of study* (Section 35 of the Act).

1) *The institution must clearly demonstrate how a student's completion of the program of study satisfies employment requirements in the occupational field. Such information must be clearly and accurately provided to students* (Section 35 of the Act).

2) *If licensure, certification, or their equivalent is required of program graduates to enter the field of employment, the institution must clearly demonstrate that completion of the program will allow students to achieve this status* (Section 35 of the Act).

k) *Enrollment agreements that meet the requirements outlined in* the *Act* and this Part (Section 35 of the Act).

1) *A copy of the enrollment agreement must be provided to the Board. Enrollment agreements may be used by schools only if approved by the Board* (Section 40 of the Act).

2) *The Board shall develop a standard enrollment agreement for use by schools approved or seeking approval under* the *Act* and this Part. *Schools may create an enrollment agreement that meets the minimum requirements of this Section* and this Part*, but it must be approved by the Board prior to implementation* (Section 40 of the Act).

3) Enrollment agreements shall include, at a minimum, the following:

A) *A clear description of costs, refund policies, program information, all disclosures required by* the *Act* (Section 40 of the Act);

B) *The Board's Internet website, the address and phone number of the Board for students to report complaints, and any additional information the Board may require by rule* (Section 40 of the Act);

C) An explanation of all criteria and requirements for retention, progress towards certificate, and graduation of the student;

D) The institution's tuition, cancellation and refund policies; and

E) A statement of the purpose and amount of any fees assessed.

4) If the school requires the student to sign an enrollment agreement or a similar type of agreement with a different title, the document must be distributed as follows:

A) *The student must be given a copy of the enrollment agreement at the time the student signs that agreement and at the time of the agreement's acceptance, if those events occur at different times* (Section 40 of the Act).

B) *The school shall retain a signed copy of the fully executed enrollment agreement as a part of the student's permanent record* (Section 40 of the Act).

5) *No school may enter into an enrollment agreement wherein the student waives the right to assert against the school or any assignee any claim or defense he or she may have against the school arising under the agreement. Any provisions in an enrollment agreement wherein the student agrees to such a waiver shall be rendered void* (Section 40 of the Act).

6) *No school may have an enrollment agreement that requires that a student register for more than a single semester, quarter, term, or other such period of enrollment as a condition of the enrollment nor shall any school charge a student for multiple periods of enrollment prior to completion of the single semester, quarter, term, or other such period of enrollment* (Section 35 of the Act).

l) *Clearly communicated tuition and fee charges* (Section 35 of the Act).

1) *Tuition and fees and any other expense charged by the school must be appropriate to the expected income that will be earned by graduates* (Section 35 of the Act).

2) *No school may have a tuition policy that requires that a student register for more than a single semester, quarter, term, or other such period of enrollment as a condition of the enrollment nor shall any school charge a student for multiple periods of enrollment prior to completion of the single semester, quarter, term, or other such period of enrollment* (Section 35 of the Act).

m) *Legal action against the institution, its parent company, its owners, its governing board, or its board members. Any such legal action must be provided to the*

Board and may be considered as a reason for denial or revocation of the permit of approval (Section 35 of the Act).

n) The school shall provide a catalog or brochure, either in print or electronically, to each prospective student prior to enrollment. Upon request, the school shall provide a catalog or brochure without gathering personal information from an individual unless such information is volunteered. The catalog or brochure shall contain the following:

1) Descriptions of the programs offered, program objectives, lengths of program and institutional calendars with program start and end dates;

2) Schedule of tuition, fees and all other charges and expenses necessary for completion of the course of study, and cancellation and refund policies;

3) Student success data as required pursuant to Section 37 of the Act and this Part and any data to satisfy Board reporting requirements;

4) A statement of the institution's accreditation status with a U.S. Department of Education recognized accrediting body. If no such accreditation exists, the institution must prominently state this in its advertising and published materials;

5) Statements regarding the transferability of a certificate to other institutions of higher education and the importance of consulting with institutions to which the student may seek to transfer;

6) Evidence of articulation arrangements with institutional counterparts, when these arrangements exist; and

7) Other material facts concerning the institution and the program or course of instruction as are likely to affect the decision of the student to enroll, together with any other information specified by the Board and defined in this Part.

Section 1095.50 Procedures for Obtaining a Permit of Approval
EMERGENCY

BOARD OF HIGHER EDUCATION

NOTICE OF EMERGENCY RULES

Each application required to be filed in accordance with the provisions of the *Act* and this Part *must be accompanied by the required fee under the provisions of* the *Act* and this Part*, and all such applications must be made on forms prepared and furnished by the Board* (Section 20 of the Act).

a) The school representatives shall complete the application supplied by the Board. The application requests information and supporting evidence to demonstrate that the school meets the criteria established.

b) *If an applicant school has not remedied all deficiencies cited by the Board within 12 months after the date of its original application for a* permit *of approval, an additional original application fee for the continued cost of investigation of its application is added* (Section 75(6) of the Act).

c) Following the receipt of the formal application, accompanying documentation, and applicable fee, staff will review and analyze all materials.

d) If a completed original application is rejected, the Board shall:

1) Issue a written response specifying the reason for the rejection; or

2) Issue a permit of approval only after the reasons for rejecting the application have been removed.

e) If a school is in disagreement with the Board's findings regarding its original application, it may, within 60 business days of receipt of the application deficiency report, petition the Board in writing for a reexamination of the application. The petition shall include the reasons for disagreement with the findings, and documentation and exhibits supporting the school's contentions of approvability. If, based on the petition and reexamination of the application, the Board finds and issues a report stating that the school still has not fulfilled all requirements for approval, the school may make a written request within 30 business days of receipt of this report for an informal hearing to show why it believes it has satisfied all application requirements. The request will be granted within 30 business days of receipt of that request. If, as a result of the presentation by the applicant, the Executive Director determines that application deficiencies cannot be resolved, the Executive Director shall call for a hearing as provided in Section 85 of the Act, to refuse to issue a Permit of Approval; or if it appears that the school can resolve application deficiencies within the time limitations of

subsection (b), the Executive Director shall allow the applicant to continue efforts to remove application deficiencies, subject to the provisions of subsection (b) of this Section.

Section 1095.60 Criteria for Evaluation of the Application for a New Program EMERGENCY

The Board requires that a school demonstrate that it can maintain and operate a new program that meets the standard criteria for those programs. The following standard criteria are designed to measure the appropriateness of the stated educational objectives to the programs of a given school and the extent to which suitable and proper processes have been developed for meeting those objectives:

a) All criteria defined in Section 1095.40 for evaluating an application for a permit of approval shall apply.

b) The objectives of the program must be consistent with what the program title implies.

c) The requested program shall be congruent with the purpose, goals, objectives and mission of the school.

d) The caliber and content of the curriculum shall assure that the stated objectives for which the program is offered will be achieved.

e) The school shall have adequate and suitable space, equipment and instructional materials to provide education of suitable quality.

f) The education, experience and other qualifications of directors, administrators, supervisors and instructors shall ensure that the students will receive education consistent with the objectives of the program.

g) The information the school provides for students and the public shall accurately describe the programs offered, program objectives, length of program, schedule of tuition, fees, and all other charges and expenses necessary for completion of the course of study, cancellation and refund policies, and such other material facts concerning the school and the program or course of instruction as are likely to affect the decision of the student to enroll. This information, including any enrollment agreements or similar agreements, shall be available to prospective

students prior to enrollment.

h) Fiscal and personnel resources shall be sufficient to permit the school to meet obligations to continuing programs while assuming additional resource responsibilities for the new program.

i) The faculty, staff and instructors of the school shall be of good professional reputation and character.

Section 1095.70 Requirements for Technologically Mediated Instruction Offered from a Distance
EMERGENCY

In addition to meeting other requirements in Section 1095.60, programs offered through electronically mediated distance learning must, at a minimum, meet the following requirements:

a) The institution assures adequacy of technical and physical plant facilities, including appropriate staffing and technical assistance, to support its electronically offered programs.

b) The institution provides students, faculty and staff with effective technical support and training for each educational technology hardware, software and delivery system required in a program. The help desk function is available to students during hours when it is likely to be needed, which shall be, at a minimum, 18 hours a day.

c) Appropriate measures for security of systems and adequacy of support are maintained. The selection of technologies is based on appropriateness for the students, faculty and curriculum.

d) Faculty are full participants in decisions regarding curricula and program oversight.

e) Demonstration of student learning and program outcomes are appropriate to the field and consistent regardless of program delivery method.

f) Appropriate admission processes, policies and assessments are used to ensure that students are capable of succeeding in an on-line learning environment. Students are adequately informed of the nature and expectations of on-line learning.

g) Assessments of student learning, especially exams, take place in circumstances that include definite student identification and assurance of the integrity of student work.

h) Assessment of electronically offered programs by the institution occurs in the context of the regular evaluation of all academic programs.

Section 1095.80 Procedures for Obtaining Approval to Offer One or More New Certificates
EMERGENCY

The Board shall approve all new programs of study in institutions described in Section 1095.20(a) that are not otherwise exempted in Section 1095.20(d). Following is a description of the steps in the approval process:

a) New Program Request

1) The school requesting permission to offer a new program will complete an application provided by the Board.

2) Information to be provided by the school shall include:

A) Program titles and descriptions;

B) Program objectives;

C) Curriculum;

D) Relationship of new programs to existing programs;

E) Faculty;

F) Recommendation of internal governance bodies;

G) Facilities;

H) Finances; and

I) Program publicity information.

b) Staff Analysis
Following receipt of the application, staff will review and analyze the application and documentation submitted.

c) Additional Documentation and Site Visit
In the case of a proposed new program for which staff determines it is necessary to verify or supplement the information supplied in the application, the staff may request additional written documentation and/or arrange for a site visit.

d) Outside Consultants
The Executive Director of the Board, at his or her discretion, may utilize the services of outside consultants to assist the staff in a site visit and in the evaluation of the documentation submitted.

e) Staff Report
Following the analysis, staff will summarize its findings and develop a recommendation regarding the new program request. This recommendation will be shared with the applicant. This recommendation will be one of the following:

1) That the program be approved to admit students, with the appropriate certificates being awarded upon program completion; or

2) That the approval requested not be granted.

f) New Application
Any school denied approval to award a new certificate must file a new application in order to be given subsequent consideration for approval.

g) Advertising of Programs

1) *Advertisements or solicitations must reference the Board's approval by stating that the school is approved by the "Division of Private Business and Vocational Schools of the Illinois Board of Higher Education"* (Section 65 of the Act).

2) A school may state that it is approved to award a certificate in the State of Illinois only after that approval has been officially granted and received in writing from the Board.

3) A school shall not advertise or state in any manner that it is "accredited" by the Board to award certificates.

4) No school shall publish or otherwise communicate to prospective students, faculty, staff or the public misleading or erroneous information about the certificate-granting status of a given school.

Section 1095.90 Change of Location
EMERGENCY

A school must have approval prior to operating at a location and must make application to the Board for any change of location (Section 20 of the Act).

a) A school shall notify the Board at least 30 calendar days in advance of any change of its principal location. It shall file an application on forms provided, pay the fee specified in Section 1095.120, and secure approval prior to operating at the new location.

b) Included in the application for change of location shall be the following:

1) The address and telephone number of the new location;

2) Assurance that the site will be operated in accordance with the school's policies and guidelines as previously submitted to the Board;

3) Inventories of instructional equipment if different from those previously submitted to the Board;

4) Floor and training ground plans showing space is available for the school to deliver programs in accordance with this Part;

5) Certificate of liability coverage or a rider indicating coverage of the new site;

6) Documentation that the new site meets local health and safety requirements (e.g., fire marshal reports, occupancy certificates, public health certificates);

7) Documentation of school surety bond coverage for the site (i.e., the surety bond indicating coverage of the site in the amount required by this Part);

8) A copy of the new or revised catalog or a copy of the supplement to the catalog that gives a description of the new site and its address;

9) The academic calendar for the new location.

c) A school shall notify the Board when it is prepared for a visit to the site of any changed location of the school, which shall be conducted prior to the Board's issuing of a permit of approval.

Section 1095.100 Classroom Extension
EMERGENCY

A school must have approval prior to operating at a location and must make application to the Board for a classroom extension at a new or changed location (Section 20 of the Act).

a) A school shall be permitted to provide instructional services at locations other than its principal location only upon filing a separate application for approval of each classroom extension and payment of the application fee specified in this Part. There shall be no instruction conducted at any extension site without the Board's written approval of the site. If instruction has been conducted at the extension site during the previous approval year, the school shall make application for continued approval of the site with its annual renewal application.

b) The approval year for extensions shall coincide with that of the original application or any renewal applications.

c) Included in the original application for each extension shall be the following:

1) The address and telephone number of the extension site;

2) The name, business address, and telephone number of the site administrators during hours of instruction;

3) Inventories of instructional equipment;

4) Facility plans showing space is available for the school to deliver programs in accordance with Sections 1095.40 and 1095.60;

5) Certificate of liability insurance coverage for the site or a rider to the certificate indicating site coverage;

6) Documentation verifying that the site meets local health and safety requirements (e.g., fire marshal reports, occupancy certificates, public health certificates);

7) Descriptions of the specific courses of instruction to be offered;

8) Projected enrollment figures;

9) Description of the plans and procedures for ensuring supervision during the hours that instruction is being given and students are present;

10) A list of all faculty and the subjects they are assigned to teach;

11) Verification of qualification of faculty and administrators pursuant to requirements in Sections 1095.40 and 1095.60;

12) Indication of surety bond coverage for the site (i.e., the surety bond indicating coverage of the site in the amount required in Section 1095.210);

13) A copy of the new or revised catalog or a copy of the supplement to the catalog which gives information on the extension site;

14) Copies of advertising materials to be used for the extension site.

d) A school shall have written policies and procedures for the administration and control of its extensions which describe provisions for continuous:

1) Supervision and control of activities at the site during its hours of operation;

2) Evaluation of instructional activities at the site.

e) If an administrator appointed under this Part is not at the site when students are present and instruction is being given, the policies and procedures shall provide for an administrator to be immediately on call to answer student and faculty questions and give direction for any contingencies which may occur. The school shall furnish students and faculty with the name, address, and telephone number of the extension administrator.

f) The Board will deny or revoke approval of an extension if it is found that the extension's instructional program is not comparable to that provided at the principal location or other extension sites; or a school has not provided instruction at the extension site during the previous year, unless the school presents the Board with plans for correction of the problem.

g) A school shall notify the Board at least 5 business days prior to closure of any extension during any approval year.

Section 1095.110 Change of Ownership
EMERGENCY

Whenever a change of ownership of a school occurs, an application for a permit of approval for the school under the changed ownership must immediately be filed with the Board. Permits of approval are not transferable (Section 20 of the Act).

a) Following a change of ownership the new owner(s) must obtain a permit of approval in order to operate the school.

b) When a school has a change of ownership that is 50 percent or more of the school's stock or assets, in one or a series of transactions occurring within a three year period, it shall file a permit of approval application within 60 days pursuant to Section 1095.50 with the fee specified in Section 1095.120. The school is in compliance during the 60-day period prior to filing and compliance will continue after the date of filing until the Board makes a final decision.

c) The Board will review the application for change of ownership and, upon determining that the application is complete and the school is in compliance with the Act and Sections 1095.40 and 1095.50, issue a permit of approval.

BOARD OF HIGHER EDUCATION

NOTICE OF EMERGENCY RULES

Section 1095.120 School Application and Renewal Fees
EMERGENCY

Each school and each of the non-degree programs of study offered by the school shall be approved for 5 years, subject to the terms and conditions of approval, including without limitation the submission of required reporting and the payment of required charges and fees under the provisions of Section 75 of the *Act* and this Part*, and compliance with any other requirements in* the *Act or supporting rules* (Section 50 of the Act).

a) Fees
Section 75 of the Act authorizes the Board to set fees. Fees are assessed in connection with school applications for the permit of approval, annual renewal of permit of approval, change of ownership, new program of study, change of location, and classroom extension.

1) Application Fees
The fees are based on the institution size as outlined in subsection (a)(2).

A) Permit of approval. This is the initial fee for the application for approval. Schools shall re-apply for the permit every 5 years. See Sections 1095.20 and 1095.40.

B) Annual renewal. This fee is paid in each of the 4 years following the issuance of a permit of approval. See Section 1095.200.

C) New program of study. This fee is submitted with the application for approval of a new or additional non-degree program of study is requested by an approved school. See Sections 1095.60, 1095.70, 1095.80.

D) Change of ownership. This is the fee to submit with an application for a permit of approval whenever there is a change of ownership of an approved school. See Section 1095.110.

E) Change of location. This is the fee to submit with the application for a change of location prior to moving the approved school's principal location. See Section 1095.90.

F) Classroom extension. This fee is submitted with the application to expand the offering of instructional services at locations other than its principal location. See Section 1095.100.

2) Schedule of Fees

	Institution Size			
	< 100 Students	100-399 Students	400-699 Students	700 + Students
Permit of Approval	$ 880	$ 1,760	$ 3,520	$ 5,000
Annual Renewal	440	880	1,760	2,500
New Program of Study	280	560	1,120	1,590
Change of Ownership	880	1,760	3,520	5,000
Change of Location	130	260	520	740
Classroom Extension	260	520	1,040	1,480

b) Remittance

1) Fees shall be submitted as check, certified check, cashier's check, or money order payable to the Illinois Board of Higher Education.

2) The Board shall return fees if, after further investigation, the Board determines that the institution's request does not require Board approval or authorization. No refund shall be awarded for any application that requires Board approval and has been reviewed by Board staff. Applications withdrawn by the institution shall receive no refund.

3) Fees shall be submitted to:

Illinois Board of Higher Education
Division of Private Business and Vocational Schools
431 East Adams, Second Floor
Springfield, Illinois 62701-1404

c) Processing

1) Applications submitted to the Board with insufficient fees shall be considered incomplete. The Board will notify the institution of the amount due. No further action shall be taken by the Board until the full amount due is submitted.

2) Applications submitted to the Board with incorrect fees shall be considered incomplete. The incorrect fee amount will be returned to the institution. No further action shall be taken by the Board until the full and correct fee amount due is submitted.

3) *If an applicant school has not remedied all deficiencies cited by the Board within 12 months after the date of its original application for a* permit *of approval, an additional original application fee for the continued cost of investigation of its application* will be charged to the school (Section 75(6) of the Act).

4) The Board will not accept a new or additional application from an institution that has been unwilling or unresponsive to prior requests for information from the Board, unless the prior application is withdrawn by the applicant.

SUBPART B: MAINTENANCE OF APPROVAL

Section 1095.200 Annual Renewal
EMERGENCY

Information requested by the Board must be submitted annually or, in special circumstances, at the request of the Board. Failure to do so is grounds for immediate revocation of the permit of approval. Each non-degree program of study must be approved by the Board as well. Regardless of when the program was approved, all programs of study must be approved again with the institutional approval at the end of the 5-year approval period or in conjunction with an earlier review if so required under the *Act* or this Part. *The Board's Executive Director has the authority to order any school subject to* the *Act to cease and desist operations if the school is found to have acted contrary to the standards set forth in* the *Act or* this Part (Section 50 of the Act).

a) A school shall submit a renewal application each year for the 4 years following the issuance of a permit of approval by the Board. An application for the permit of approval is required in the last year of the 5-year period.

b) The fees for the applications are set forth in Section 1095.120.

c) The Board shall provide the forms to update the information previously submitted by the school and which call for information that has not been reported by the school since the filing of the application for the prior permit of approval.

d) The information shall include:

1) *An alphabetical list of* student *names, addresses, and dates of admission by course or course of instruction and a sample copy of* each type of *enrollment agreement employed to enroll the students listed shall be filed with the Board's Executive Director on an annual basis. The list shall be signed and verified by the school's chief managing employee* (Section 37 of the Act).

2) *Student retention and graduation rates must be maintained that are appropriate to standards in the field. A State licensing examination or professional certification examination passage rate of at least 50% of the average passage rate for schools within the industry for any State licensing examination or professional certification examination must be maintained. In the event that the school fails to* meet the minimum standards, *then that school shall be placed on probation for one year. If that school's passage rate in its next reporting period does not exceed 50% of the average passage rate of that class of school as a whole, then the Board shall revoke the school's approval for that program to operate in this State.* Such revocation also *shall be grounds for reviewing the institution's approval to operate.* (Section 55 of the Act).

Section 1095.210 Surety Bond
EMERGENCY

Each school shall provide evidence to the Board of a surety bond to protect the interests of the students. *The amount of the bond must be sufficient to provide for the repayment of full tuition to all students enrolled at the institution in the event of closure of the institution. Evidence of the continuation of the bond must be filed annually with the Board* (Section 55 of the Act).

a) A school shall supply the Board with a copy of a fully executed, continuous surety bond written by a company authorized to do business in Illinois in an amount sufficient to provide cumulative unearned prepaid tuition for the Illinois students enrolled at any one time. The amount shall be no less than $10,000.

b) The school shall submit its projection of greatest amount of unearned prepaid tuition with its initial application for a certificate and the actual amount, based upon the record of the previous fiscal year, with each succeeding application.

c) Should the Board determine after applying the provisions of this Section that the school must increase the amount of bond coverage, the school shall file a bond rider acknowledging increased coverage within 30 calendar days of receipt of the Board's notice requiring such increase.

d) In the event of cancellation of the bond by a bonding company, the school shall furnish a fully executed replacement bond to the Board within 30 calendar days of the Board's receipt of the notice of cancellation.

e) The bonding company shall on the Board's request provide reasons for bond termination within 30 calendar days of the Board's receipt of notice of such termination.

f) Termination of the school's surety bond coverage shall be grounds for revocation of its permit of approval.

g) When the school provides instruction at extensions, the surety bond or riders attached thereto shall indicate coverage for all Illinois students at all sites where instruction is or will be given.

Section 1095.220 Liability Insurance
EMERGENCY

A school shall maintain continuous liability insurance from a company authorized to do business in Illinois for the protection of the school's students and employees *at the school's places of business and at all classroom extensions, including any work-experience locations* (Section 55 of the Act).

a) The liability insurance policy shall specify limits of liability of not less than $100,000 per person and $300,000 per occurrence for bodily injury liability and not less than $50,000 per occurrence for property damage liability.

b) The insurance policy shall include coverage for off-campus learning experiences such as student commercial employment as a part of the instructional program, internships/externships, cooperative education, and experiential learning activities; unless the school furnishes the Board a certificate of insurance evidencing such coverage is being provided by the employer or other person responsible for the off-campus learning experience.

c) The school shall furnish the Board with a certificate of insurance which indicates compliance with the minimum amounts of liability insurance required by this Section.

1) The insurance policy shall provide that the company issuing the policy must give written notice to the Board at least 30 days prior to the effective date of a cancellation.

2) If the certificate does not so indicate, the insurer shall provide riders verifying coverage at all sites where instruction is being or will be given to Illinois students.

Section 1095.230 Lack of Compliance
EMERGENCY

A school shall permit the Board's Executive Director or his or her designees to inspect the school or classes thereof from time to time with or without notice and to make available to the Board's Executive Director or his or her designees, at any time when required to do so, information, including, financial information, pertaining to the activities of the school required for the administration of the *Act and* this Part (Section 55(8) of the Act).

a) The staff of the Board shall initiate an investigation upon receipt of a verified written complaint and may initiate an investigation in response to oral or written information concerning any of the following:

1) Alleged violation of any of the conditions governing issuance of the permit of approval;

2) Alleged failure to comply with this Part;

3) Alleged fraudulent conduct on the part of any person operating the institution or of any person, acting within the scope of his/her employment by the institution, on account of which any student ever enrolled in the institution has been injured or has suffered financial loss;

4) Loss, suspension, probation or similar adverse action taken by an accrediting body with which the institution is or was affiliated;

5) Actions of federal or state regulatory agencies or Offices of Attorneys General, Offices of Inspectors General, or similar bodies that affect an institution's status with those bodies.

b) Whenever an inspection or other information reveals lack of compliance with the Act or this Part, the Board shall send the school a report of deficiencies. The school shall have 10 business days to respond to the report of deficiencies and report on actions that have been taken to correct these deficiencies.

Section 1095.240 Disclosures
EMERGENCY

All schools shall make, at a minimum, the disclosures required under Section 37 of the Act and this Part *clearly and conspicuously on their Internet websites. The disclosure shall consist of a statement containing the following information for the most recent 12-month reporting period of July 1 through June 30* (Section 37 of the Act):

a) For each program of study, report:

1) The number of students who were admitted in the program as of July 1 of that reporting period.

2) The number of additional students who were admitted in the program during the next 12 months and classified in one of the following categories:

A) New starts;

B) Re-enrollments; and

C) Transfers into the program from other programs at the school.

3) The total number of students admitted in the program during the 12-month reporting period (the number of students reported under subsection (a)(1) plus the total number of students reported under subsection (a)(2)).

4) The number of students enrolled in the program during the 12-month reporting period who:

A) Transferred out of the program and into another program at the school;

B) Completed or graduated from a program;

C) Withdrew from the school;

D) Are still enrolled.

5) The number of students enrolled in the program who were:

A) Placed in their field of study;

B) Placed in a related field;

C) Placed out of the field;

D) Not available for placement due to personal reasons;

E) Not employed.

b) *The number of students who took a State licensing examination or professional certification examination, if any, during the reporting period, as well as the number who passed* (Section 37 of the Act).

c) *The number of graduates who obtained employment in the field who did not use the school's placement assistance during the reporting period; such information may be compiled by reasonable efforts of the school to contact graduates by written correspondence* (Section 37 of the Act).

d) *The average starting salary for all school graduates employed during the reporting period; such information may be compiled by reasonable efforts of the school to contact graduates by written correspondence* (Section 37 of the Act).

e) *The following clear and conspicuous caption, set forth with the address and telephone number of the Board's office: "COMPLAINTS AGAINST THIS SCHOOL MAY BE REGISTERED WITH THE BOARD OF HIGHER EDUCATION"* (Section 37 of the Act). See Section 1095.250.

Section 1095.250 Student Complaints
EMERGENCY

Schools approved by the Board must *provide to the Board and each student the school's policy for addressing student complaints. Included in this process, the school must provide in its promotional materials and on its Internet website the Board's address and Internet website for reporting complaints* (Section 55(2) of the Act).

a) *Student complaints must be submitted in writing to the Board* (Section 85(i)(1) of the Act).

1) The Board will provide forms that may be used to submit a complaint. Information about the complaint may be submitted online through the IBHE website (www.ibhe.org). Signed forms should be sent to the Board at:

Illinois Board of Higher Education
Division of Private Business and Vocational Schools
431 East Adams, Second Floor
Springfield, Illinois 62701-1404

Fax Number: (217)782-8548

2) Verbal instructions on how to submit a student complaint are available by calling the Board at (217)782-2551.

b) *Board staff shall contact the school about the complaint by registered mail or other appropriate notification. The school has 10 business days to respond to the Board about the complaint. The Board shall provide a resolution determination to*

the school. The school may request a hearing about the proposed resolution within 10 business days after the delivery of the complaint by registered mail or other appropriate notification. If the school does not abide by the resolution determination, then the Board can issue a cease and desist order to the school. If the school does not comply with the cease and desist order, then the Board may revoke the school's permit of approval (Section 85(i)(2) of the Act).

c) *The complaint may be forwarded to the institution's accrediting body* (Section 85(i)(3) of the Act).

d) *The Board shall annually issue a public report about the complaints received. At a minimum, the report shall include the institution, the nature of the complaint, and the current resolution status of the complaint. No individual student shall be named in the report* (Section 85(i)(4) of the Act).

Section 1095.260 Cease and Desist Orders
EMERGENCY

The Board's Executive Director has the authority to order any school subject to the *Act to cease and desist operations if the school is found to have acted contrary to the standards set forth in* the *Act* and this Part (Section 85 of the Act).

a) On receipt of a cease and desist order the school shall immediately cease and desist from all sales, advertising, marketing and enrollment activities. It shall report to the Board in writing within 15 days on actions which will be taken to correct the deficiencies cited. The report shall include the dates for completion of corrective activities.

b) The Board shall notify the school in writing immediately when conditions relating to issuance of the order have been rectified and the school is again eligible to resume its normal sales, advertising, marketing and enrollment functions.

c) If deficiencies noted by the Board are not corrected within 30 days following the school's receipt of the report, the Board shall proceed to a hearing to show why the school's permit of approval should not be placed on probation, suspended or revoked.

Section 1095.270 School Closing and Student Transcripts
EMERGENCY

a) Notice Required
A school which is closing, either voluntarily or involuntarily, shall send to the Board the following:

1) Notice of the closure immediately by certified mail;

2) Provide the name, address, and telephone number of the person who will be responsible for closing arrangements;

3) Provide the name, address, and telephone number and the name of the course of instruction for each student who has not completed his or her course of instruction;

4) Provide information on the amount of class time left for each student to complete the course with the amount of refund, if any, for which each student is eligible;

5) Furnish copies of the written notice being mailed to all enrolled students explaining the procedures they are to follow to secure refunds or to continue their education; and

6) Return its permit of approval immediately by mail upon cessation of instruction or termination of approved status.

b) Teach-Out Plan
When a postsecondary educational institution now or hereafter operating in this State proposes to discontinue its operation, such institution shall cause to be created a teach-out plan acceptable to the Board, which shall fulfill the school's educational obligations to its students. Should the school fail to deliver or act on the teach-out plan, the Board is in no way responsible for providing the teach-out (Section 70 of the Act).

1) A school shall have written plans designed to protect the contractual rights of its students and graduates in the event the school closes or undergoes a change of status (e.g., if the school changes location or if its permit of approval is revoked), including the right to complete the course of instruction in which they enrolled.

2) If students are receiving instruction prior to the school's closing, the school shall file a plan including the information described in subsection (b)(2)(A) with the Board to ensure that the school's students will continue to receive training of the same quality and content as that for which they contracted, as indicated in subsection (b)(2)(B).

A) Arrangements for transferring students to a public or another approved private school shall be filed with the Board prior to any student transfer.

B) Prior to approving the school's arrangements for completing its teaching obligations to students, the Board shall verify that students transferring will receive the same kind of program and instructional services as those for which they contracted.

c) Academic Records

In the event a school proposes to discontinue its operations, the chief administrative officer of the school shall cause to be filed with the Board the original or legible true copies of all such academic records of the institution as may be specified by the Board (Section 70 of the Act).

1) *These records shall include, at a minimum, the academic records of each former student that is traditionally provided on an academic transcript, such as, but not limited to, courses taken, terms, grades, and other such information* (Section 70 of the Act).

2) *In the event it appears to the Board that any such records of an institution discontinuing its operations is in danger of being lost, hidden, destroyed, or otherwise made unavailable to the Board, the Board may seize and take possession of the records, on its own motion and without order of court* (Section 70 of the Act).

3) *The Board shall maintain or cause to be maintained a permanent file of such records coming into its possession* (Section 70 of the Act).

4) *As an alternative to the deposit of such records with the Board, the institution may propose to the Board a plan for permanent retention of the records* that may include the transfer of records to a similar institution.

The plan must be put into effect only with the approval of the Board (Section 70 of the Act).

d) Refund Requirements

1) The school shall refund all tuition, fees, and other charges if the Board, in any situation in which students are receiving instruction prior to a school's closing, determines that:

A) The school has not fulfilled its contractual obligations; or

B) A student has reasonable objections to transfer resulting from the closing.

2) *The school and its designated surety bonding company are responsible for the return to students of all prepaid, unearned tuition. As identified in Section 55 of* the *Act, the surety bond must be a written agreement that provides for monetary compensation in the event that the school fails to fulfill its obligations. The surety bonding company shall guarantee the return to the school's students and their parents, guardians, or sponsors of all prepaid, unearned tuition in the event of school closure. Should the school or its surety bonding company fail to deliver or act to fulfill the obligation, the Board is in no way responsible for the repayment or any related damages or claims* (Section 70 of the Act). See Section 1095.210 for requirements of the surety bond.

e) Transcript Requests

1) The Board is the custodian of records for student transcripts from closed private business and vocational schools who have turned over their student records to the Board.

2) The Board shall maintain a list of the private business and vocational schools that have closed and will publish the list on the Board website (www.ibhe.org).

3) A student who attended a Board-approved school that has since closed shall use the transcript request form and procedure developed by the Board along with the applicable fees.

4) The fee for a student transcript is $10 per copy and shall be submitted as check, certified check, cashier's check, or money order payable to the Illinois Board of Higher Education.

5) Fees shall be submitted to:

Illinois Board of Higher Education
Division of Private Business and Vocational Schools
431 East Adams, Second Floor
Springfield, Illinois 62701-1404

CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES

NOTICE OF CORRECTION TO NOTICE ONLY

1) Heading of the Part: Chief Procurement Officer for General Services Standard − Procurement

2) Code Citation: 44 Ill. Adm. Code 1

3) The Notice of Proposed Amendments being corrected appeared at : 36 Ill. Reg. 1820; February 10, 2012

4) The information being corrected is as follows: The Chief Procurement Office for General Services will hold hearings pursuant to the Illinois Administrative Procedure Act to facilitate the submission of views and comments on proposed amendments to the Standard Procurement Rules, 44 Ill. Adm. Code 1. The proposed rules have been published in Volume 36, Issue 6 of the Illinois Register, dated February 10, 2012 and may be found at http://www.cyberdriveillinois.com/departments/index/register/home.html.

The hearings will be open to the public and recorded by stenographic or mechanical means with at least one agency representative present during the hearing who is qualified to respond to general questions from the public regarding the Chief Procurement Office's proposed rules and the rulemaking process. The location of the March 15th hearing is changed, and hearings are added for March 14th and March 19th. The hearing schedule is as follows:

March 14, 2012
11:00 a.m.-1:00 p.m.
John A. Logan College
700 Logan College Road, Crisp Room
Carterville, Illinois

March 15, 2012
3:00 -5:00 p.m.
University of Illinois Springfield
One University Plaza, Public Affairs Center Conference Room C-D, 1st level
Springfield, Illinois

March 19, 2012
11:00 a.m.-1:00 p.m.
James R. Thompson Center
100 W. Randolph, Room 9-036

CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES

NOTICE OF CORRECTION TO NOTICE ONLY

Chicago, Illinois

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

DEPARTMENT OF PUBLIC HEALTH

Heading of the Part: AIDS Drug Assistance Program

Code Citation: 77 Ill. Adm. Code 692

Section Numbers: 692.5 692.6 692.10 692.15

Date Originally Published in the Illinois Register: 10/7/11
35 Ill. Reg. 15976

At its meeting on February 7, 2012, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that DPH update this Part to reflect current policy in a more timely manner. DPH has been implementing changes in AIDS Drug Assistance Program policies and procedures without adopting them in rule first.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERALLY ASSEMBLY

STATEMENT OF OBJECTION
TO EMERGENCY RULE

ILLINOIS STUDENT ASSISTANCE COMMISSION

Heading of the Part: John R. Justice Student Loan Repayment Program

Code Citation: 23 Ill. Adm. Code 2754

Section Numbers: 2754.10 2754.15 2754.20 2754.30

Date Originally Published in the Illinois Register: 1/13/12
36 Ill. Reg. 556

At its meeting on February 7, 2012, the Joint Committee on Administrative Rules, with respect to the Illinois Student Assistance Commission's emergency rulemaking titled John R. Justice Student Loan Repayment Program (23 Ill. Adm. Code 2754; 36 Ill. Reg. 556), objected to the Illinois Student Assistance Commission disbursing federal funds under this Program in 2010 without adopting rules establishing the standards and procedures used in disbursing those funds; to ISAC establishing policy outside of rule by announcing the 11/30/11 deadline for application for FFY 12 funds prior to adoption of these emergency rules; and to ISAC using emergency rulemaking to implement its policies for the Program when it had time to use the proposed rulemaking process.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

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 February 7, 2011 through February 14, 2012 and have been scheduled for review by the Committee at its March 6, 2012 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.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
3/24/12	Department of Revenue, Electronic Filing of Returns or Other Documents (86 Ill. Adm. Code 760)	12/2/11 35 Ill. Reg. 19452	3/6/12
3/24/12	Department of Revenue, TeleFile Program (Repealer) (86 Ill. Adm. Code 770)	12/2/11 35 Ill. Reg. 19459	3/6/12
3/24/12	Department of Central Management Services, Pay Plan (80 Ill. Adm. Code 310)	12/23/11 35 Ill. Reg. 19885	3/6/12
3/29/12	Department of Revenue, Environmental Impact Fee (86 Ill. Adm. Code 501)	11/18/11 35 Ill. Reg. 19123	3/6/12

2012-12 (Revised)
SPC Christopher Patterson

WHEREAS, on Friday, January 6, Army National Guard SPC Christopher Patterson of North Aurora, Illinois died at age 20 while serving in support of Operation Enduring Freedom; and,

WHEREAS, SPC Patterson was assigned to the 713th Engineer Company, 81st Troop Command, Army National Guard headquartered in Valparaiso Indiana; and,

WHEREAS, SPC Patterson was a talented musician and friend to many at West Aurora High School; and,

WHEREAS, SPC Patterson graduated from West Aurora High School in 2009 and enrolled at Valparaiso University in Indiana; and,

WHEREAS, SPC Patterson joined the National Guard while attending Valparaiso University in Indiana studying music education and was a member of a professional music fraternity Phi Mu Alpha ;and

WHEREAS, SPC Patterson bravely volunteered to join his unit overseas even though he had the option to stay behind; and,

WHEREAS, SPC Patterson and three other servicemen were clearing combat routes for convoys to pass when an improvised explosive device detonated; and,

WHEREAS, a funeral will be held on January 21, 2012 for SPC Patterson, who is survived by his parents and three brothers; and,

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 January 19, 2012 until sunset on January 21, 2012 in honor and remembrance of SPC Christopher Patterson, whose selfless service and sacrifice is an inspiration.

Issued by the Governor January 12, 2012
Filed by the Secretary of State February 7, 2012

2012-14
Staff Sgt. Metzger

WHEREAS, on Friday, January 6 Army National Guard Staff Sgt. Jonathan Metzger of Indianapolis, Indiana died at age 32 while serving in support of Operation Enduring Freedom; and,

WHEREAS, Staff Sgt. Metzger was assigned to the 713th Engineer Company, 81st Troop Command, Army National Guard headquartered in Valparaiso Indiana; and,

WHEREAS, Staff Sgt. Metzger and three other servicemen were clearing combat routes for convoys to pass through when an improvised explosive device detonated; and,

WHEREAS, Staff Sgt. Metzger was a standout football player at Rich High School High School in Richton Park Illinois; and,

WHEREAS, Staff Sgt. Metzger graduated from Rich High School in 1998 and enlisted in the Marine Corps; and,

WHEREAS, Staff Sgt. Metzger was a dedicated Marine who served eight years and was preparing for a career in service; and,

WHEREAS, Staff Sgt. Metzger left the Marine Corps in 2005 and joined the Indiana National Guard in 2006 where he served exceptionally and was highly decorated; and,

WHEREAS, Staff Sgt. Metzger was currently serving his second deployment, having previously served a tour in Iraq; and

WHEREAS, Staff Sgt. Metzger was preparing for a career of service and studying for the rank of master sergeant; and,

WHEREAS, a funeral will be held on January 20 , 2012 for Staff Sgt. Metzger, who is survived by his parents, wife ,a brother and a sister; and,

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 January18, 2012 until sunset on January 20, 2012 in honor and remembrance of Staff Sgt. Metzger, whose selfless service and sacrifice is an inspiration.

Issued by the Governor January 17, 2012
Filed by the Secretary of State February 7, 2012

2012-15
Four Chaplains Sunday

WHEREAS, on February 3, 1943, four United States Army Lieutenants and Chaplains sacrificed their lives in one of the most inspiring acts of heroism during the Second World War; and,

WHEREAS, once a luxury coastal liner, the U.S.A.T. Dorchester set out with three escort ships on February 2 for an American base in Greenland. Less than 150 miles from its destination, the ship was attacked by a German submarine shortly after midnight; and,

WHEREAS, aboard the U.S.A.T. Dorchester, panic and chaos set in. The blast killed scores of men, and many more were seriously wounded. Alerted that the Dorchester was taking on water and sinking rapidly, the captain gave the order to abandon ship; and,

WHEREAS, those who were capable made their way towards the deck through the darkness. Once topside, men jumped from the ship for lifeboats. Some were overcrowded and capsized. Others drifted away before soldiers and sailors could get in them; and,

WHEREAS, through the pandemonium, Reverend George L. Fox, Rabbi Alexander D. Goode, Reverend John P. Washington and Reverend Clark V. Poling spread out among the soldiers to calm the frightened, tend the wounded and guide the disoriented toward safety; and,

WHEREAS, at one point, Rabbi Goode gave away his own gloves to a comrade who had the bad fortune of forgetting his. Shortly thereafter, the Chaplains opened a storage locker filled with lifejackets and began distributing them; and,

WHEREAS, it was then that John Ladd witnessed an astonishing sight. When they ran out of lifejackets, the Chaplains removed theirs and gave them to four frightened young men. John said, "It was the finest thing I have seen or hope to see this side of heaven"; and,

WHEREAS, as the ship went down, other survivors in nearby rafts saw the Chaplains with arms linked and braced against the slanting deck. They were also heard offering prayers; and,

WHEREAS, the Dorchester sunk less than 27 minutes after it was struck. Of the 902 men aboard, 672 died, including all four Chaplains. When news reached American shores, the nation was stunned by the magnitude of the tragedy and heroic conduct of the Chaplains; and,

WHEREAS, all four Chaplains were posthumously awarded the Distinguished Service Cross and Purple Heart, as well as a Special Medal of Heroism specially authorized for them by Congress; and,

WHEREAS, every year, the Combined Veterans Association of Illinois sponsors a memorial service for the four Chaplains, which this year is hosted by the Jewish War Veterans of Illinois,

and which will be held at the Main Chapel of the Edward Hines VA Medical Center in Hines, Illinois on February 5, 2012; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 5, 2012 as **FOUR CHAPLAINS SUNDAY** in Illinois, in honor and remembrance of the four brave and courageous Chaplains who selflessly made the ultimate sacrifice to save the lives of others.

Issued by the Governor January 18, 2012
Filed by the Secretary of State February 7, 2012

2012-16
Schaumburg Township District Library Day

WHEREAS, The Schaumburg Township District Library opened in 1962, starting as a small house that has since expanded into a 166,000 square foot building located in the Village of Schaumburg; and,

WHEREAS, The Schaumburg Township District Library has extended its branches to provide services in both Hoffman Estates and Hanover Park townships; and,

WHEREAS, The Schaumburg Township District Library has worked closely with local schools, governments, community agencies and charitable organizations to improve the quality of life for families and individuals of all ages within our communities, and has provided excellent service for the past fifty years ; and,

WHEREAS, The Schaumburg Township District Library provides programs and activities designed to expand young minds, improve literacy and promote a safe learning environment where all patrons can enjoy recreational and educational resources; and,

WHEREAS, The Schaumburg Township District Library provides specialized reference and research services for health, personal finance, career and business development. The library assists new immigrants in English language learning and preparation for U.S. citizenship; and,

WHEREAS, in keeping with its primary objectives, the library has supported our community by providing services to residents of rehabilitation, nursing home and assisted living facilities. In addition, the library also supplies adaptive equipment to those with visual, hearing, learning and physical impairments; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim January 21, 2012 as **SCHAUMBURG TOWNSHIP DISTRICT LIBRARY DAY** in Illinois, in celebration of its 50th anniversary and in recognition of the wonderful contributions it has made to our state.

Issued by the Governor January 18, 2012
Filed by the Secretary of State February 7, 2012

2012-17
Go Red for Women

WHEREAS, Nearly 2,200 Americans die of cardiovascular disease every day, making it the leading cause of death in the nation; and,

WHEREAS, In Illinois, it is the source of thousands of deaths each year, and affects almost every citizens either through personal health concerns or those of family and friends; and,

WHEREAS, Cardiovascular disease accounts for one out of four deaths in women across the nation and causes more deaths in women in Illinois than any other source; and,

WHEREAS, it is critical to empower women and increase their awareness of steps they can take to reduce their risk of heart disease; and,

WHEREAS, Research conducted by the American Heart Association and other organizations have shown that many occurrences of cardiovascular disease are preventable and state and community-based strategies can be implemented to decrease the disease's prevalence; and,

WHEREAS, February is American Heart Month, and, throughout the month, it is important for women educate themselves on the risk factors of cardiovascular disease and the specific warning signs of a heart attack in women; and,

WHEREAS, along with its many partners, the American Heart Association is creating healthier communities that are safe from the devastation of heart disease and stroke, and ensuring stronger, longer lives for citizens of this country; and

WHEREAS, Illinois is pleased to join the American Heart Association and the Conference of Women Legislators in asking our citizens to "Go Red for Women" throughout February, 2012, to show their support for women fighting heart disease and, to raise awareness about the number one cause of death for women in our nation; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2012 as **GO RED FOR WOMEN MONTH** in Illinois, and urge all citizens, especially women, to

familiarize themselves with the signs, symptoms and treatments OF cardiovascular disease so that we might begin to reduce the devastating impact it has upon our population.

Issued by the Governor January 18, 2012
Filed by the Secretary of State February 7, 2012

2012-18
National Day of Prayer

WHEREAS, in times of peril both at home and abroad, many American citizens turn to prayer for help and guidance; and,

WHEREAS, millions of men and women across the nation gratefully continue the tradition of prayer in churches, synagogues, temples, mosques, and other houses of worship across our country; and,

WHEREAS, established in 1952 by an act of Congress, the National Day of Prayer is now observed nationally every year on the first Thursday in May; and,

WHEREAS, the National Day of Prayer is a celebration of American citizens' freedom of religion, set forth in the First Amendment. Americans treasure their religious freedom, which embraces the many diverse communities of faith that have infused our society and our cultural heritage over more than two centuries; and,

WHEREAS, in past years, U.S. presidents and governors have signed proclamations designating a National Day of Prayer; and,

WHEREAS, the State of Illinois is pleased to join governors across the nation and President Barack Obama by issuing a proclamation honoring the National Day of Prayer, while continuing to work with communities of faith to improve our state:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 3, 2012 as **NATIONAL DAY OF PRAYER** in Illinois.

Issued by the Governor January 18, 2012
Filed by the Secretary of State February 7, 2012

2012-19
National Insurance Crime Bureau Month

WHEREAS, insurance fraud, or any act that attempt s to collect payment from an insurer in a fraudulent manner, is a serious crime that is estimated to cost billions of dollars annually and raise the cost of insurance premiums for everyone; and,

WHEREAS, insurance fraud can occur among all types of insurance industries, including healthcare, automobile, property home, and life and ranges in severity from exaggerated claims or "soft fraud" to premeditated inventions of loss, or "hard fraud"; and,

WHEREAS, The National Insurance Crime Bureau (NICB) , located in Des Plaines, Illinois is the nation's premier not-for-profit organization dedicated to fighting insurance fraud and crime and is the only private organization in the United States that gathers the collective resources needed to prevent, detect and deter these crimes; and,

WHEREAS, The National Insurance Crime Bureau receives support from approximately 1,000 property/casualty insurance companies. The NICB partners with insurers and law enforcement agencies to facilitate the identification, detection and prosecution of insurance criminals; and,

WHEREAS, The National Insurance Crime Bureau along with their insurance, law enforcement and public partners combat insurance fraud by utilizing through data analytics, investigations, training, legislative advocacy and public awareness; and,

WHEREAS, The National Insurance Crime Bureau was formed in 1992 through a merger with the National Automobile Theft Bureau (NATB) and the Insurance Crime Prevention Institute (ICPI); and,

WHEREAS, the NATB was established in the early 20th Century while the ICPI had been investigating cases of insurance fraud for approximately 20 years prior to the merger; and

WHEREAS, The National Insurance Crime bureau will celebrate its 100th anniversary in 2012; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 2012 as **NATIONAL INSURANCE CRIME BUREAU MONTH**, in recognition of their efforts to combat insurance fraud, and their contributions to the industry.

Issued by the Governor January 18, 2012
Filed by the Secretary of State February 7, 2012

2012-20
Illinois Electric and Telephone Cooperatives Youth Day

WHEREAS, for many years, the Electric and Telephone Cooperatives of Illinois have sponsored a paid tour of Washington, D.C., for approximately 60 outstanding Illinois high school students; and,

WHEREAS, the selection criteria for students to participate includes essay and youth leadership contests that are sponsored by member cooperatives; and,

WHEREAS, students from Illinois, along with nearly 1,500 contest winners from other states, will have an opportunity to witness their federal government in action during the "Youth to Washington" tour taking place on June 15-22, 2012; and,

WHEREAS, in an effort to provide a broader educational experience for students throughout the state, the Electric and Telephone Cooperatives of Illinois will also sponsor a trip to our state capitol March 28, 2012 for 275 contest finalists; and,

WHEREAS, these hard-working young men and women are the future of our state and country, and deserve to be commended for their achievements and their desire to learn more about their nation's governing bodies; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 28, 2012 as **ILLINOIS ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY** in Illinois, and encourage all citizens to support youth programs that assist those interested in learning about the United States government.

Issued by the Governor January 19, 2012
Filed by the Secretary of State February 7, 2012

2012-21
Early Hearing Detection and Intervention Day

WHEREAS, it is estimated that sixty infants are born with moderate to severe hearing loss each day in the United States; and,

WHEREAS, early detection is the single most important factor in successful treatment of hearing loss. In Illinois, there are approximately 180,000 newborn babies who have their hearing screened every year. Recent studies suggest that intervention within the first six months of a hard of hearing infant's life is crucial to them reaching their speech, language, and learning potential; and,

WHEREAS, in Illinois, nearly 500 children are born with congenital hearing loss each year; and,

WHEREAS, to better deal with congenital hearing loss, the Illinois Hearing Screening for Newborns Act, passed in July of 1999, requires all birthing hospitals in the state to implement universal newborn hearing screening and reporting. The Universal Newborn Hearing Screening program was established to implement and administer the provisions of the act; and,

WHEREAS, the Universal Newborn Hearing Screening program is a joint effort of two state agencies: the Department of Human Services and the Department of Public Health. These agencies, along with the University of Illinois at Chicago's Division of Specialized Care for Children, the Bureau of Early Intervention, hospital personnel, healthcare professionals, and community-based organizations strive to ensure that parents of babies who have a hearing loss receive follow-up diagnostic testing and information regarding communication options and other services for their children; and,

WHEREAS, the State of Illinois realizes the importance of universal newborn hearing screening and its impact on the lives of our children as well as their families and communities:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 9, 2012 as **EARLY HEARING DETECTION AND INTERVENTION DAY** in Illinois, in order to increase awareness of the role that early detection plays in the successful treatment of hearing loss.

Issued by the Governor January 23, 2012
Filed by the Secretary of State February 7, 2012

2012-22
Pollinator Week

WHEREAS, pollinator species such as birds and insects are essential partners of farmers and ranchers in producing much of our food supply; and,

WHEREAS, pollination plays a vital role in the health of our national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources and recreational opportunities as well as enhanced economic development opportunities for communities; and,

WHEREAS, pollinator species provide significant environmental benefits that are necessary for maintaining healthy, biodiverse ecosystems; and,

WHEREAS, the State of Illinois has managed wildlife habitats and public lands such as state forests and grasslands for decades; and,

WHEREAS, the State of Illinois provides conservation assistance to promote wise conservation stewardship, including the protection and maintenance of pollinators and their habitats on working lands and wildlands; and,

WHEREAS, pollinators are vital to the ecosystems of Illinois, supporting terrestrial wildlife, providing healthy watershed, and providing significant benefits to the agriculture of our state; and,

WHEREAS, the State of Illinois is proud to recognize June 18 – 24, 2012 as Pollinator Week, an international celebration of pollinating animals including bees, birds, butterflies, bats, beetles, and others; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 18 – 24, 2012 as **POLLINATOR WEEK** in Illinois, and encourage all citizens to recognize the value and the fragility of the ecosystem services provided by pollinating species.

Issued by the Governor January 23, 2012
Filed by the Secretary of State February 7, 2012

2012-23
Parkinson's Disease Awareness Month

WHEREAS, Parkinson's disease is a progressive disorder of the central nervous system, affecting approximately 1.5 million Americans; and

WHEREAS, clinically, the disease is characterized by a decrease in spontaneous movements, gait difficulty, postural instability, rigidity and tremor; and

WHEREAS, Parkinson's disease affects both men and women in almost equal numbers. The frequency of the disease is considerably higher in the over-60 age group, although there is an alarming increase of patients of younger age; and

WHEREAS, in consideration of the increased life expectancy in this country and worldwide, an increasing number of people are expected to be afflicted with Parkinson's disease; and

WHEREAS, while medication may mask symptoms for a period of time, there is no known cure, therapy or drug that can slow or stop progression of the disease; and,

WHEREAS, there is no known cause of Parkinson's Disease, but scientists believe it to be both genetic and environmental; and,

WHEREAS, in 1991, The Parkinson Action Network was founded to raise awareness and advocate on behalf of patient's with this devastating disorder. The network also supports and funds ongoing research in the hope of finding a cure; and

WHEREAS, the State of Illinois recognizes the efforts of the Illinois Chapter of the Parkinson Action Network to raise funds and promote awareness to fight Parkinson's disease, thereby improving the quality of life for those living with the disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2012 as **PARKINSON'S DISEASE AWARENESS MONTH** in Illinois, to raise awareness of this devastating illness and in recognition of the work of the Parkinson Action Network.

Issued by the Governor January 23, 2012
Filed by the Secretary of State February 7, 2012

2012-24
FFA Week

WHEREAS, agriculture is Illinois' largest and most productive industry, and is vital to the economic success and future prosperity of the State; and,

WHEREAS, agricultural education helps to prepare students for careers in every aspect of agriculture in order to ensure the continued success of this important industry; and,

WHEREAS, agricultural education prepares over 29,000 Illinois students for careers in agribusiness, agriscience, agricultural technology and production agriculture; and,

WHEREAS, Future Farmers of America (FFA) is an integral part of the agricultural education program at the elementary and secondary level; and,

WHEREAS, the National FFA Organization is the nation's largest career and technical student organization; and,

WHEREAS, Illinois Association FFA reaches almost 17,000 FFA members and develops their potential for premier leadership, personal growth and career success; and,

WHEREAS, each member of the Illinois Association FFA has demonstrated their interest in the field of agriculture and developed hands-on training in science, business and technology through agricultural education; and,

WHEREAS, the Illinois Association FFA has positively influenced the lives of rural and urban FFA members, parents, educators, and business and community leaders; and,

WHEREAS, more than ninety years of positive FFA influence have benefited over one million Illinois students; and,

WHEREAS, the National FFA Organization has designated a week in February as FFA Week, with the theme "I Believe," which celebrates more than 90 years of FFA traditions while eagerly anticipating the organization's future; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 18-26, 2012 as **FFA WEEK** in Illinois, and encourage all citizens to recognize and support agricultural education programs and students in Illinois, and support the ideals of the Illinois Association FFA.

Issued by the Governor January 24, 2012
Filed by the Secretary of State February 7, 2012

2012-25
National Public Safety Telecommunication Week

WHEREAS, The Statewide Communications Interoperability Plan (SCIP), serves as the operational blueprint for the conceptualization, procurement, implementation and usage of interoperable communication by Illinois' public safety agencies and non-governmental as well as private organizations; and,

WHEREAS, interoperable communications has been a priority in Illinois for over 40 years, the nation's first statewide emergency radio network. Known as The Illinois State Police Emergency Radio Network (ISPERN), it was established in 1965; and,

WHEREAS, the development of the (SCIP) remains a cooperative effort of federal, state and local public safety practitioners working through the Illinois Terrorism Task Force's Communications Committee and the Statewide Interoperability Executive Committee to make interagency communications for public safety practitioners a top priority; and,

WHEREAS, every hour of every day, telecommunicators access, monitor, and disseminate information of critical importance to public safety officials in order to contribute to the safety of the public and success of public safety goals; and,

WHEREAS, these professional men and women effectively and efficiently perform their duties to help ensure the safety and protection of life, property, and individual rights of all people in Illinois; and,

WHEREAS, it is appropriate that we set aside a time to demonstrate our appreciation of their knowledge, training, service and dedication; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 8-14, 2012 as **NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK** in Illinois, in recognition of the vital contributions telecommunicators make to the safety and well-being of our citizens.

Issued by the Governor January 25, 2012
Filed by the Secretary of State February 7, 2012

2012-26
Captain Nathan R. McHone

WHEREAS, on Thursday, January 19, United States Marine Captain Nathan R. McHone of Crystal Lake, Illinois died at age 29 while supporting combat operations in Helmand province, Afghanistan where he was serving in support of Operation Enduring Freedom; and,

WHEREAS, Captain McHone was assigned to the Marine Heavy Helicopter Squadron 363, Marine Aircraft Group 24, 1st Marine Aircraft Wing, III Marine Expeditionary Force, based at Kaneohe Bay, Hawaii; and,

WHEREAS, Captain McHone ran cross country and track at Crystal Lake South High School; and,

WHEREAS, Captain McHone graduated from Crystal Lake South High School in 2001 and was commissioned into the Marine Corps in 2005; and,

WHEREAS, Captain McHone went to Naval Aviation Command in Pensacola, Florida as an entry level student and served there for two years, earning the rank of first lieutenant in 2007; and,

WHEREAS, Captain McHone was then assigned to Heavy Marine Helicopter Training-302 squadron, Marine Aircraft Group-29, as a student pilot in Jacksonville, North Carolina for six months; and,

WHEREAS, Captain McHone was eventually promoted to the rank of Captain while on duty in Kaneohe Bay, Hawaii where he earned many medals; and,

WHEREAS, Captain McHone was travelling with six other Marines when they were involved in a fatal helicopter crash; and,

WHEREAS, a funeral will be held on Sunday, January 29, 2012 for Captain McHone who is survived by his parents ,a brother and a sister; and,

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 immediately until sunset on Sunday, January 29, 2012 in honor and remembrance of Captain Nathan R. McHone, whose selfless service and sacrifice is an inspiration.

Issued by the Governor January 27, 2012
Filed by the Secretary of State February 7, 2012

2012-27
Poison Prevention Month

WHEREAS, all citizens of Illinois should be made aware of the ever-present dangers posed by potentially poisonous household substances; and,

WHEREAS, children too often have access to over the counter and prescription medications and potentially toxic household products; and,

WHEREAS, over the past 50 years, the nation has observed National Poison Prevention Week to help prevent accidental poisonings and offer tips for promoting community involvement in poison prevention; and,

WHEREAS, the Illinois Poison Center is a mainstay in the emergency medical care system of the State of Illinois and is recognized nationally for its contributions to poison treatment and prevention; and,

WHEREAS, 49 percent of the more than 80,000 poisonings reported last year to the Illinois Poison Center involved children under the age of five and could have been prevented; and,

WHEREAS, more than 90 percent of the calls received from the public are treated over the phone, quickly and safely, by experienced, highly qualified staff of the poison center:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2012 as **POISON PREVENTION MONTH** in Illinois, and encourage all citizens to learn more about the Illinois Poison Center's prevention programs that alert citizens on the continuous problem of accidental poisonings and steps that can be taken to create healthy and safe home, play and work environments.

Issued by the Governor January 27, 2012
Filed by the Secretary of State February 7, 2012

2012-28
Postpartum Mood Disorders Awareness Month

WHEREAS, up to 80 percent of new mothers experience changes in their emotional health following childbirth, regardless of race, age, culture or socioeconomic status. Of this number, 15-20 percent experience more severe symptoms, collectively known as Postpartum Mood Disorders; and,

WHEREAS, based on the number of births each year in Illinois, it is estimated that 27,000-36,000 mothers are affected by moderate to severe postpartum emotional symptoms annually in Illinois alone. Postpartum Mood Disorders (PPMDs) have been called "The most significant complication associated with childbirth". PPMDs interfere with mother-infant bonding and disrupt the entire family unit; and,

WHEREAS, there are many forms of Postpartum Mood Disorders, including the milder "Baby Blues" and more severe Postpartum Depression, Postpartum Panic Disorder, and Postpartum Obsessive-Compulsive Disorder. The most severe disorder, Postpartum Psychosis, is a life-threatening mental illness associated with a 10 percent suicide/infanticide rate; and,

WHEREAS, with proper awareness, education, intervention, and resources, Postpartum Mood Disorders are nearly 100 percent treatable; and,

WHEREAS, increasing public awareness among all Illinois families on the prevalence, identification, and treatment of Postpartum Mood Disorders has significant potential to save lives and prevent the unnecessary suffering experienced by so many families following childbirth:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2012 as **POSTPARTUM MOOD DISORDERS AWARENESS MONTH** in Illinois, in order to raise awareness of this serious and debilitating disorder that affects childbearing women and their families.

Issued by the Governor January 27, 2012

Filed by the Secretary of State February 7, 2012

2012-29
Financial Aid Awareness Month

WHEREAS, the Illinois P-20 Council, Illinois education agencies, and Illinois schools at all levels have a shared goal of increasing the proportion of Illinois adults with a postsecondary credential to 60% by 2025; and,

WHEREAS, the Illinois Public Agenda for College and Career Success stresses that meeting the State's goals for a highly educated workforce will require expanded early awareness of the necessary steps to prepare, apply, and pay for college; and,

WHEREAS, postsecondary degrees and certificates are critical for many individuals to achieve their personal and professional goals; and,

WHEREAS, broad access to postsecondary education contributes to a strong and resilient Illinois workforce; and,

WHEREAS, the General Assembly has declared that the welfare and security of our State and Nation suffer irreparable losses when qualified students are deterred by financial considerations from completing their education; and,

WHEREAS, student financial aid programs such as Illinois' Monetary Award Program (MAP) provide access to educational opportunity for hundreds of thousands of Illinois students each year; and,

WHEREAS, early completion of the Free Application for Federal Student Aid (FAFSA) is increasingly important for students hoping to obtain help in paying for college, as it is used to determine eligibility for federal loans and for grant assistance at the federal, State, and, often, institutional levels; and,

WHEREAS, the mission of the Illinois Student Assistance Commission (ISAC) is to make college accessible and affordable for Illinois students, and the agency provides financial aid outreach, including through its Illinois Student Assistance Corps, to students in every region of the state; and,

WHERAS, ISAC, the Illinois Association for College Admission Counseling, and the Illinois Association of Student Financial Aid Administrators, Inc., are dedicated to improving awareness among students, parents, and adult learners regarding college admissions and financial aid resources and procedures; and,

WHEREAS, the State's college admissions community, financial aid community, and ISAC are collaborating to serve Illinois by offering workshops on student financial assistance, including help in completing the FAFSA; and,

WHEREAS, more than one hundred workshops will be presented free-of-charge in public venues around the State throughout the month of February to assist Illinoisans in applying for student assistance and reaching their educational and personal goals; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2012 to be **FINANCIAL AID AWARENESS MONTH** in Illinois.

Issued by the Governor January 27, 2012
Filed by the Secretary of State February 7, 2012

2012-30
Congenital Heart Defect Awareness Week

WHEREAS, Congenital Heart Defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and,

WHEREAS, over a million families across America are facing the challenges and hardships of raising children with Congenital Heart Defects; and,

WHEREAS, every year 40,000 babies are born in the United States with Congenital Heart Defects; and,

WHEREAS, some Congenital Heart Defects are not diagnosed until months or years after birth; and,

WHEREAS, undiagnosed Congenital Heart conditions cause many cases of sudden cardiac death in young athletes; and,

WHEREAS, despite these statistics, newborns and young athletes are not routinely screened for Congenital Heart Defects; and,

WHEREAS, there is a need for increased funding for Congenital Heart Defect research and support; and,

WHEREAS, the observance of Congenital Heart Defect Awareness Week provides an opportunity for families whose lives have been affected to celebrate life and to remember loved

ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and,

WHEREAS, the establishment of Congenital Heart Defect Awareness Week will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about Congenital Heart Defects:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 7-14, 2012 as **CONGENITAL HEART DEFECT AWARENESS WEEK** in Illinois, in order to increase awareness of Congenital Heart Defects that affect thousands of babies in Illinois each year.

Issued by the Governor January 27, 2012
Filed by the Secretary of State February 7, 2012

2012-31
Ehlers-Danlos Syndrome Awareness Month

WHEREAS, Ehlers-Danlos Syndrome is a group of genetic disorders involving mutations in connective tissue characterized by looseness, instability, and dislocations of the joints, fragile and often hyperelastic skin that bruises, scars, and tears easily, unpredictable arterial and organ rupture causing acute pain, excessive internal bleeding, shock, stroke, and premature death; and,

WHEREAS, there are six major types of Ehlers-Danlos Syndrome that are characterized by distinctive features with life being shortened for individuals with the vascular type due to arterial or organ rupture. It is estimated the prevalence of all types of Ehlers-Danlos Syndrome is 1 in 5,000-10,000 births worldwide; and,

WHEREAS, a network of worldwide support groups have proved of great benefit to individuals with Ehlers-Danlos Syndrome. Not only do these organizations put people in touch with other individuals managing life with Ehlers-Danlos Syndrome, they are also vital in providing up to date information to the medical profession and public at large; and,

WHEREAS, there is a need for greater research into Ehlers-Danlos Syndrome. By encouraging further studies of Ehlers-Danlos Syndrome, new understanding, interventions, and improved treatments can be acquired, generating a growth in the knowledge base and hope for a cure; and,

WHEREAS, there is neither routine screening nor a cure for Ehlers-Danlos Syndrome, so individuals must seek a diagnosis from a knowledgeable health care provider and individual symptoms must be evaluated and cared for appropriately; physical and occupational therapy evaluation and intervention may be required to address basic life tasks. Early and accurate diagnosis can provide the opportunity to create life-saving emergency medical plans, ensure

proper monitoring, and improve quality of life and support for Ehlers-Danlos Syndrome families; and,

WHEREAS, Ehlers-Danlos Syndrome is frequently misdiagnosed or undiagnosed, resulting in greater discomfort and disability for individuals and offspring; improved knowledge of the vascular form can prevent premature and tragic deaths; and,

WHEREAS, increased knowledge of all types of Ehlers-Danlos Syndrome allow earlier and more effective management, thereby increasing hope of a better quality of life, increased participation in society, reduced disability, pain, and medical expense for Ehlers-Danlos Syndrome families; and,

WHEREAS, the Ehlers Danlos Syndrome Network C.A.R.E.S. is an organization that is dedicated to educating the public and members of the medical profession, as well as supporting research. C.A.R.E.S. has designated the month of May as Ehlers-Danlos Syndrome Awareness Month in memory of those who have died from the syndrome and to raise public awareness; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2012 as **EHLERS-DANLOS SYNDROME AWARENESS MONTH** in Illinois.

Issued by the Governor January 27, 2012
Filed by the Secretary of State February 7, 2012

2012-32
Motorcycle Awareness Month

WHEREAS, Illinois is a national leader in motorcycle education and safety; and,

WHEREAS, in 1976, the Illinois Department of Transportation (IDOT) found that motorcycle ridership was increasing, as were the number of crashes and fatalities involving motorcycles; and,

WHEREAS, research indicated that motorcycle riders involved in crashes were essentially without training; 92 percent were self-taught or learned from family or friends. Formal motorcycle rider training was found to reduce both crash involvement and the severity of injuries in the event of a crash; and,

WHEREAS, as a result of these finding, the Cycle Rider Safety Training Program was developed to reduce the incidence of motorcycle crashes in Illinois. Specific objectives in reaching this goal included increasing and improving the formalized training offered to Illinois motorcycle riders and heightening public awareness of motorcycle operators and safety issues; and,

WHEREAS, the Illinois Department of Transportation has been conducting the Illinois Cycle Rider Safety Training program since 1976; and,

WHEREAS, for more than three decades now, IDOT's Cycle Rider Safety Training Program has functioned as a national model for motorcycle safety programs; and,

WHEREAS, the program is supported by state motorcycle registration fees and has been responsible for training more than 308,000 cyclists; and,

WHEREAS, better rider education, licensing and public awareness lead to safer motorcycling; and,

WHEREAS, sharing a roadway is where motorist awareness starts. The Illinois Department of Transportation urges all motor vehicle drivers to expect to see more motorcyclists riding in traffic in spring and summer months and to respect that they rightfully enjoy the same access to the roads as other traffic:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2012 as **MOTORCYCLE AWARENESS MONTH** in Illinois, and encourage all drivers to help keep our roadways safe through proper motorist awareness.

Issued by the Governor January 27, 2012
Filed by the Secretary of State February 7, 2012

2012-33
Cosmetologists Chicago Days

WHEREAS, in 1912, a small group of cosmetologists formed the Chicago and Illinois Hairdressers and Wigmakers Association in order to support and enhance the beauty profession; and,

WHEREAS, that small group has since grown to become a 7,000-member organization dedicated to the same principle of supporting beauty professionals and their industry; and,

WHEREAS, Cosmetologists Chicago has been responsible for bringing revolutionary professionals from the beauty industry to the Midwest, including Vidal Sassoon, Frederic Fekkai, and Margaret Vinci Helt, and has been pivotal in the growth of the cosmetology industry; and

WHEREAS, the organization held the first Midwest Trade Show and Exposition, now known as America's Beauty Show, with about 30 beauty firms providing trade exhibits and education for members ; and,

WHEREAS, since the inaugural event, America's Beauty Show has continued to grow and develop into an important occasion for the beauty profession and is attended by members from around the world; and,

WHEREAS, over 50,000 professionals from the salon and spa industries are expected to attend the 2012 America's Beauty Show to celebrate the very best in cosmetology education, products, and talent; and,

WHEREAS, this year, Cosmetologists Chicago will celebrate their 100th anniversary and the support and development it has provided the beauty profession through education, entertainment, and inspiration; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 3-5, 2012 as **COSMETOLOGISTS CHICAGO DAYS** in Illinois in recognition of this organization's 100th anniversary celebration and continued development and support of the beauty profession.

Issued by the Governor January 27, 2012
Filed by the Secretary of State February 7, 2012

2012-34
Digital Learning Day

WHEREAS, technology has transformed the world by making modern life more efficient and accessible; and,

WHEREAS, as technology progresses, our country demands a highly educated workforce in order to effectively compete in today's global economy; and,

WHEREAS, the vitality of Illinois' education system and our ability to compete in an increasingly interconnected global economy depends on our ability to continue nurturing a technological environment that supports innovation and growth; and,

WHEREAS, we cannot allow our nation's growing fiscal crisis to deter Illinois from better training our students and workforce for the jobs and challenges of the future; and,

WHEREAS, our state's education system must capture the advantages that technology can provide by offering students improved and personalized instruction; and,

WHEREAS, when implemented correctly, the infusion of digital learning and technology in schools can personalize and improve the learning of every child; and,

WHEREAS, digital learning and the effective use of technology can also assist teachers by providing real time data to track individual student progress, and create a more efficient learning process that allows students more individual instruction time; and,

WHEREAS, the first ever national Digital Learning Day will occur on February 1, 2012, in order to educate teachers, students, schools, parents, and the public on ways to successfully integrate high-quality digital learning and the effective use of technology to help improve the quality of education for every student; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 1, 2012 as **DIGITAL LEARNING DAY** in Illinois, in support of this important campaign to better prepare our students and workforce for the challenges of tomorrow through state-of-the-art technology.

Issued by the Governor January 30, 2012
Filed by the Secretary of State February 7, 2012

2012-35
National Consumer Protection Week

WHEREAS, it is essential that consumer rights are protected through various laws and regulations; and,
WHEREAS, The Consumer Federation of America (CFA) is an association comprised of 300 nonprofit consumer groups established in 1968 to advance consumer interests via research, education and advocacy at both national and state levels; and,

WHEREAS,CFA focuses on issues that directly affect consumers' daily lives including food product safety, communications, financial services, housing, insurance, privacy and fraud ; and,

WHEREAS, The Federal Trade Commission (FTC) is the nation's consumer protection agency, working to prevent fraudulent, deceptive and unfair business practices in the marketplace. The FTC provides information that helps consumers learn and identify the danger signs of fake check scams and similar fraudulent activities; and,

WHEREAS, National Consumer Protection Week (NCPW) is an annual campaign among governmental and non-profit entities that encourages consumers to take full advantage of their rights by making better informed decisions in the marketplace; and,

WHEREAS, during NCPW, groups nationwide share tips and information that help consumers protect their privacy, manage money and debt, and avoid identity theft as well as fraud and scams; and,

WHEREAS, through NCPW, consumers are educated on how to protect their privacy, stay safe online, manage their money, avoid identity theft, and understand mortgages through a wealth of tips and information offered to consumers by federal, state government and non-profit partner organizations; and,

WHEREAS, in keeping with its primary objectives, National Consumer Protection Week supports our community continuously by promoting services that educate constituents about their everyday consumer rights; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 4-10, 2012 as **NATIONAL CONSUMER PROTECTION WEEK** in Illinois.

Issued by the Governor January 30, 2012
Filed by the Secretary of State February 7, 2012

2012-36
Earthquake Preparedness Month

WHEREAS, earthquake preparedness is important in our state because Illinois is home to two major earthquake faults, the New Madrid and Wabash Valley, and northern Illinois has also experienced several quakes in the past 100 years, the most recent in February 2010 in Kane County; and

WHEREAS, in 1811 and 1812, several of the largest historical earthquakes ever to occur in the continental United States took place in the New Madrid Seismic Zone, creating widespread destruction in the Central United States; and

WHEREAS, in addition to the earthquake risks in the state, Illinois residents often travel to regions of the country and the world where earthquakes may occur; and

WHEREAS, on February 7, at 10:15 a.m., Illinoisans are encouraged to participate in the Great Central U.S. ShakeOut, in which they can practice the "Drop, Cover and Hold On" technique that could prevent injury during an earthquake; and

WHEREAS, the Illinois Emergency Management Agency is committed to enhancing earthquake preparedness in Illinois through programs to increase public awareness of earthquake risks in Illinois; promote earthquake preparedness and safety to people, businesses and schools; and

assist governmental and non-governmental organizations in the development of plans and conduct training and exercises to prepare for, respond to, recover from and mitigate the damage caused by a catastrophic earthquake; and

WHEREAS, comprehensive information about earthquake preparedness is available on the state's Ready Illinois website at www.Ready.Illinois.gov; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 2012, as **EARTHQUAKE PREPAREDNESS MONTH** in Illinois and call upon all Illinoisans to utilize the many resources available to learn how to protect themselves and their families during an earthquake.

Issued by the Governor January 31, 2012
Filed by the Secretary of State February 7, 2012

2012-37
Kidney Cancer Awareness Month

WHEREAS, renal cell carcinoma (RCC) also known as kidney cancer, is one of the ten most common forms of cancer; and,

WHEREAS, the exact cause of kidney cancer is still unknown, and for reasons that are not totally clear, the rate of people developing kidney cancer has been rising slowly since the 1970s, at a time when the incidence of other cancers is dropping; and,

WHEREAS, The American Cancer Society estimates that in 2012 64,770 new cases of kidney cancer (40,250 men and 24,520 women) would occur and about 13,570 people (8,650 men and 4,920 women) would die from this disease; and,

WHEREAS, kidney cancer occurs nearly twice as often in men as in women and mostly in men over 40 years old; and,

WHEREAS, there are currently no early detection tests that can detect the presence of kidney cancer; and,

WHEREAS, signs and symptoms of kidney cancer may include: blood in the urine; lower back pain on one side (not from an injury); a mass or lump in the belly, tiredness; weight loss (if you are not trying to lose weight); fever that does not go away after a few weeks and that is not from a cold, the flu, or other infection; and swelling of ankles and legs. A doctor should be consulted if any of these problems are occurring; and,

WHEREAS, other than surgery, the most commonly used treatments for kidney cancer are immunotherapy, radiation, and chemotherapy; and,

WHEREAS, breakthroughs in research over the last year have given renewed hope to patients who previously had few treatment options:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2012 as **KIDNEY CANCER AWARENESS MONTH** in Illinois, in support of this important public information campaign.

Issued by the Governor January 31, 2012
Filed by the Secretary of State February 7, 2012

2012-38
National Library Week

WHEREAS, there are thousands of public, academic, school, governmental, and specialized libraries in the United States that provide excellent and invaluable service to library users regardless of age, ethnicity, or socioeconomic background; and,

WHEREAS, libraries provide millions of people with the knowledge and information they need to live, learn and work in the 21st Century; and,

WHEREAS, librarians and library support staff bring the nation a world of knowledge both in person and online, as well as personal service and expert assistance in finding what is needed when it is needed; and,

WHEREAS, libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning; and,

WHEREAS, during economic hardships libraries have become a good source for job seekers by providing them with access to job databases and other tools needed to find employment opportunities; and,

WHEREAS, libraries are places that provide after school programs along with many other programs to promote education and increase literacy among American Citizens; and,

WHEREAS, it is important that we recognize the unique contributions of all libraries and the value of their contributions to individuals and to society as a whole; and,

WHEREAS, during April 8 - 14, 2012 libraries, library workers, and library supporters across America will be celebrating National Library Week sponsored by the American Library Association; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 8 - 14, 2012 as **NATIONAL LIBRARY WEEK** in Illinois, and encourage all citizens to take advantage of the variety of resources a library provides.

Issued by the Governor January 31, 2012
Filed by the Secretary of State February 7, 2012

2012-39
Arts in Education Spring Celebration Months

WHEREAS, the arts are the personification of beauty in the world and help to preserve our cultural heritage; and,

WHEREAS, arts education, which includes dance, drama, music and visual arts, is an essential part of basic instruction for all students, providing them with a balanced education that will aid in developing their full potential; and,

WHEREAS, the Peoria County Regional Office of Education is committed to the establishment and continuation of school programs that provide students with the opportunity to achieve academic excellence; and furthermore, they are committed to supporting the development and promotion of fine and applied arts programs; and,

WHEREAS, winner of several awards, the Arts in Education Spring Celebration is held at the Peoria County Courthouse Plaza and provides a venue for students in grades pre-Kindergarten through twelve to showcase their works and talents; and,

WHEREAS, the 2012 Arts in Education Spring Celebration will be held April 16 through May 25, 2011; and,

WHEREAS, the 2012 Arts in Education Spring Celebration will be the 27th annual such event; and,

WHEREAS, the State of Illinois resolutely supports events such as the Arts In Education Spring Celebration, and commends the students and teachers who work to bring the beauty of art to this great state; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April and May 2012 as **ARTS IN EDUCATION SPRING CELEBRATION MONTHS** in Illinois.

Issued by the Governor January 31, 2012
Filed by the Secretary of State February 7, 2012

2012-40
Thousand Cankers Disease of Walnut

WHEREAS, pursuant to the Insect Pest and Plant Disease Act (505 ILCS 90/1 et seq.), the Illinois Department of Agriculture has found as fact that Thousand Cankers Disease of Walnut and the Walnut Twig Beetle exists in other states with respect to which the Secretary of Agriculture of the Unites States has not determined that a quarantine is necessary and has not established a quarantine, and that specific plants or plant products or other things, coming therefrom into this State is likely to convey Thousand Canker Disease of Walnut and the Walnut Twig Beetle into this State, the Governor may thereupon by proclamation, schedule such state, territory, district, province, or country, or any portion thereof, or any locality therein, and prohibit the bringing therefrom into this State of such insect pests or plant diseases, or any plant product or other things of the kind infested or infected, or likely to be infested or infected, or is likely to convey infestation to plants or plant products in this State, except under such regulations as may be prescribed by the Department of Agriculture and approved by the Governor; and

WHEREAS, Thousand Cankers Disease of Walnut is a plant pest disease complex involving infestation of walnut trees and plants (Juglans sp) by the Walnut Twig Beetle (Pityophthorus juglandis) and an unnamed species of Geosmithia fungus (Geosmithia sp.), which eventually kills the walnut tree (Juglans sp.); and

WHEREAS, Thousand Cankers Disease of Walnut poses a serious threat to walnut trees in Illinois, and places at risk the ability of Illinois producers to produce, sell and distribute walnut pants (Juglans sp) and products intrastate, interstate, and internationally; and

WHEREAS, it is necessary to protect Illinois walnut timber and nut production, walnuts as a landscape species, and the native ecosystem from Thousand Cankers Disease of Walnut and the Walnut Twig Beetle; and

WHEREAS, Thousand Cankers Disease of Walnut and the Walnut Twig Beetle are currently present in many states of the western United States and a limited number of states in the eastern United States; and

WHEREAS, unregulated articles are transported into many states with the potential of introducing or spreading Thousand Cankers Disease of Walnut and the Walnut Twig Beetle; and

WHEREAS, quarantine action is necessary to prevent the introduction and spread of Thousand Cankers Disease of Walnut and the Walnut Twig Beetle into and within the State of Illinois:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim that, in order to prevent, retard, suppress, and control the spread of the plant pest Thousand Cankers Disease of Walnut, and the Walnut Twig Beetle, the movement of regulated articles as defined below into or through the State of Illinois, from any other state, territory, or foreign country, by any person, is prohibited except as set forth below:

Regulated Articles, as used in this proclamation, shall be defined as all plants, plant parts, and products of the genera Juglans; articles of Juglans, including, but not limited to logs, green lumber, firewood, nursery stock, bark, mulch, burls, stumps, and packing materials; all life stages of the walnut twig beetle (Pityophthorus juglandis); all life stages of the Geosmithia fungus (Geosmithia sp.), and any article, product, or means of conveyance when it is determined by the Illinois Department of Agriculture to present a risk of spread of the walnut twig beetle or the Geosmithia fungus. Exceptions are nuts, nutmeat, and hulls, processed lumber (100% bark free and kiln dried, with squared edges), and finished wood products without bark, including walnut furniture, musical instruments, and gun stocks;

The sale and/or movement of all regulated articles originating in any of the following areas into Illinois are prohibited unless the person moving or causing to be moved the regulated article has first entered into a compliance agreement with the Illinois Department of Agriculture and the regulated article is accompanied by a phytosanitary certificate from the originating state verifying the material complies with the conditions of the associated Illinois Department of Agriculture compliance agreement pursuant to the Insect Pest and Plant Disease Act:

Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Pennsylvania, Tennessee, Virginia, and Washington in their entirety; and
any other areas of the United States as determined by the Illinois Department of Agriculture to have Thousand Cankers Disease of Walnuts;

The sale and/or movement of all regulated articles originating in areas other than those listed above must provide proof of harvest location of the wood by county and state;

Any regulated articles moved in violation of this proclamation-established external state quarantine shall at the expense of the owner be either destroyed, returned to the consignor, or otherwise disposed of as the Illinois Department of Agriculture shall direct.

Notwithstanding the aforementioned provisions of this proclamation, the Director of the Illinois Department of Agriculture may allow, with written approval, the movement of regulated articles into or within Illinois for research purposes.

Issued by the Governor February 1, 2012
Filed by the Secretary of State February 7, 2012

2012-41
Engineers Week

WHEREAS, according to the Illinois Department of Financial and Professional Regulation, there are approximately 20,700 registered professional engineers and 2,300 registered structural engineers in Illinois; and,

WHEREAS, engineers use their scientific and technical knowledge and skills to provide the people of this state and across the nation with a wealth of innovations in all fields, including agriculture, transportation, construction and education; and,

WHEREAS, engineers are vital to allowing our society to function efficiently, particularly in the areas of public safety, health, welfare, transportation, water, power, communications and structural land environmental engineering; and,

WHEREAS, engineers face the major technological challenges of our time – from rebuilding towns devastated by natural disasters to designing an information superhighway that will speed our country into the twenty-first century; and,

WHEREAS, engineers are encouraging our young math and science students to realize the practical power of their knowledge; and,

WHEREAS, we must depend upon the professional men and women in the field of engineering to find technological solutions to the problems we currently face, and those we might face in the future:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim February 19-25, 2012 as **ENGINEERS WEEK** in Illinois, and encourage all citizens to recognize and appreciate the countless contributions that engineers make to the state and the country as a whole.

Issued by the Governor February 1, 2012
Filed by the Secretary of State February 7, 2012

PROCLAMATIONS

2012-42
Affordable Housing Month

WHEREAS, all citizens require stable and affordable housing in order to achieve individual and family success, and it is essential that we have a full range of quality housing options available and accessible to meet the needs of all income groups and special needs populations in communities across the state; and,

WHEREAS, housing is a human right, and owning and affording a home is part of the American Dream; and,

WHEREAS, a full-time worker in Illinois must earn $17.38 per hour in order to afford the cost of an average two bedroom apartment ($907) without paying more than 30 percent of income on housing; and,

WHEREAS, in 2011, 103,003 homes in Illinois received a foreclosure filing, or, one in every 51 homes; and,

WHEREAS, the supply of affordable rental housing is inadequate. For every 100 extremely low-income renter households, Illinois has only 53 existing affordable rental units. Sixty-three percent of extremely low-income renter households spend more than 50 percent of their income on housing; and,

WHEREAS, seniors, people with disabilities, and others with limited incomes need affordable places to live. In 2010, a person with a disability receiving monthly SSI payments needed to spend 115% of their monthly income in order to rent an average one bedroom unit; and,

WHEREAS, this lack of affordable housing for people with disabilities cause many to live in nursing homes and other institutions than necessary; and,

WHEREAS, the number of people Illinois Homeless Service Providers have turned away has greatly increased within recent years. During FY10, Illinois agencies provided comprehensive shelter and transitional housing to 42,068 people, but had to turn away 36,983 requests due to a lack of space. In Chicago, providers had to turn away 4,775 requests for services for homeless youth due to a lack of resources; and,

WHEREAS, there has been a significant increase in homeless school children in Illinois. During the 2009-2010 school year, there were 33,367 students defined as homeless enrolled in Illinois public schools; and,

WHEREAS, recognizing that housing is not just about bricks and mortar, it is crucial that grassroots organizations, non-profit housing professionals, financial institutions, elected officials, government and others join forces to guide and promote affordable housing as fundamental to community and economic health; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2012 as **AFFORDABLE HOUSING MONTH** in Illinois, and encourage all citizens to recognize and appreciate the importance of ensuring that every person in Illinois has access to affordable housing.

Issued by the Governor February 3, 2012
Filed by the Secretary of State February 7, 2012

2012-43
St. Xavier University Cougars Men's Football Day

WHEREAS, the contributions of collegiate sport in the national community foster a sense of inspiration and pride within our schools, our towns, our states, and the country; and,

WHEREAS, these team sports inspire a sense of community, especially when student athletes display their excellence, persistence and teamwork in a championship battle; and,

WHEREAS, today, the State of Illinois has the opportunity to celebrate the All-American pastime of football, to recognize the contributions of sport, and to showcase the sportsmanship of a diverse group of young men who came together and achieved their goals; and,

WHEREAS, on December 17, 2011, the St. Xavier University Cougars men's football team won the 2011 National Association of Intercollegiate Athletics (NAIA) Football National Championship; and,

WHEREAS, St. Xavier University Cougars men's football team, led by Coach Mike Feminis, entered the NAIA Football National Championship ranked fifth after finishing the season 14-1; and,

WHEREAS, The St. Xavier University Cougars men's football team was led by senior quarterback and Offensive Player of the Game Jimmy Coy, who finished with 294 yards of total offense and led all rushers with 78 yards on 16 carries for a 4.9 yard average; and,

WHEREAS, Coy, along with wide receiver Shane Zackery, Defensive Player of the Game Patrick Appino, backer Michael Prosser, strong safety Clayton Fejedelem and linebacker Zach Dolph made tremendous contributions to the game winning strategy; and,

WHEREAS, after a third quarter lead by opponent Carroll, KJ Franklin rushed in from four yards out and began what would result in the game-winning play for the St. Xavier Cougars; and,

WHEREAS, the St. Xavier University Cougars showed their extraordinary teamwork by winning the championship game with a score of 24-20 to win the 56th Annual Russell Athletic NAIA Football National Championship; and,

WHEREAS, the St. Xavier University Cougars men's football team has brought home to Chicago St. Xavier University's first ever national title; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby commend the St. Xavier University Cougars men's football team for their spirit, their determination and their outstanding teamwork in winning the NAIA National Football Championship and do hereby proclaim February 8, 2012 as **ST. XAVIER UNIVERSITY COUGARS MEN'S FOOTBALL DAY** in Illinois.

Issued by the Governor February 3, 2012
Filed by the Secretary of State February 7, 2012

2012-44
The St. Jude Children's Research Hospital Day

WHEREAS, entertainer Danny Thomas prayed to the Patron Saint of Hopeless Causes, Saint Jude Thaddeus, for guidance, asking that if he could only be shown his path in life, he would build a shrine in St. Jude's honor; and,

WHEREAS, Danny Thomas' prayers were answered, and with the financial support of his friends, public, and private partners, he was able to open a children's hospital that would advance cures, and means of prevention, for pediatric catastrophic diseases through research and treatment; and,

WHEREAS, on February 4, 1962, the St. Jude Children's Research Hospital opened its doors for the first time with the hope of finding cures and discovering methods of prevention for children's cancers and other pediatric diseases; and,

WHEREAS, consistent with Thomas' vision, no child is denied treatment based on race, religion or a family's ability to pay; and

WHEREAS, since St. Jude's doors first opened in 1962, childhood cancer survival rates have increased dramatically, from 20 percent then to 80 percent today; and,

WHEREAS, acute lymphoblastic leukemia (ALL) is a type of fast-acting cancer that usually occurs in children aged 3-7; and,

WHEREAS, in 1962, the survival rate of ALL was virtually non-existent at only 4 percent, but because of the work at St. Jude's Children's Research Hospital, the survival rate is now 94 percent; and,

WHEREAS, the St. Jude Children's Research Hospital has treated children from all 50 states and other countries around the globe; and,

WHEREAS, the St. Jude Children's Research Hospital now operates worldwide, including a hospital in Peoria that has treated hundreds of families; and,

WHEREAS, on average, 7,800 patients visit St. Jude everyday most of whom are treated on an outpatient basis. They also have 78 beds and treat an average of 260 children per day; and,

WHEREAS, the daily operating cost for St. Jude is $1.7 million, which is primarily covered by public contributions; and,

WHEREAS, no family has ever paid St. Jude for treatment, and since 1962 no family has received a bill; and,

WHEREAS, for the past fifty years, the St. Jude's Children's Research Hospital has provided patients with the highest quality of medical and supportive care, and their families with the level of information and support necessary for them to make informed decisions and to become active participants in the care of their children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim February 4, 2012 as **THE ST. JUDE CHILDREN'S RESEARCH HOSPITAL DAY** in Illinois, in recognition of their contributions to children's health and in support of their efforts to improve the quality of life of our world's most vulnerable citizens.

Issued by the Governor February 3, 2012
Filed by the Secretary of State February 7, 2012

2012-45
Order Sons of Italy/Alzheimer's Association "Partners in Progress Day"

WHEREAS, the Order Sons of Italy in America (OSIA) was established in the Little Italy neighborhood of New York City on June 22, 1905, by Vincenzo Sellaro, M.D., and five other

Italian immigrants who came to the United States during the great Italian migration (1880-1923); and,

WHEREAS, the OSIA's goal was to create a support system for all Italian immigrants that could assist them in becoming U.S. citizens, and providing their health/death benefits and educational opportunities; and,

WHEREAS, over the years, the OSIA has achieved much success in their goals of serving the public. Not only have they established free schools and centers to teach immigrants English and to help them become citizens, but they have also instituted orphanages and homes for the elderly, and helped to raise money for those in need; and,

WHEREAS, to date, OSIA members have given millions to educational programs, disaster relief, cultural preservation and promotion and medical research; and,

WHEREAS, the National Council of the Order Sons of Italy in America has adopted Alzheimer's disease as one of its primary charities, and plans to support this cause by implementing a fund raising campaign throughout the nation; and,

WHEREAS, joining their cause will be the Alzheimer's Association, a group that provides services and support to Alzheimer's patients and their families; and,

WHEREAS, on May 19, 2012, the OSIA and the Alzheimer's Association will hold an event to support the approximately 5.4 million Americans affected by Alzheimer's disease; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 19, 2012 as **ORDER SONS OF ITALY/ALZHEIMER'S ASSOCIATION "PARTNERS IN PROGRESS" DAY** in Illinois, and encourage all citizens to recognize and aid in the charitable work these organizations carry out for the benefit of others.

Issued by the Governor February 6, 2012
Filed by the Secretary of State February 7, 2012

2012-46
Alzheimer's Disease Awareness Month

WHEREAS, today, an estimated 5.4 million Americans are living with Alzheimer's throughout the United States. In the State of Illinois, there are more than 210,000 adults currently afflicted by the disease; and,

WHEREAS, a progressive, degenerative disease of the brain, Alzheimer's is the most

common form of dementia. It results in impaired memory, thinking and behavior, and usually begins gradually, causing a person to forget recent events and to have difficulty performing familiar tasks; and,

WHEREAS, one in eight adults age 65 and over, and nearly half of those over the age of 85 have Alzheimer's, as well as a small percentage of Americans under 65; and,

WHEREAS, Alzheimer's disease is the sixth leading cause of the death in the United States; and,

WHEREAS, those who have Alzheimer's live an average of 20 years from the onset of symptoms, and only an average of 7 years after diagnosis; and,

WHEREAS, unfortunately, there is no form of prevention or known cure for Alzheimer's, and unless any are found, it is estimated that as many as 16 million Americans will have the disease by the year 2050; and,

WHEREAS, the Alzheimer's Association's mission is to eliminate Alzheimer's disease through the advancement of research, to provide and enhance care and support for all affected, and to reduce the risk of dementia through the promotion of brain health; and,

WHEREAS, the month of November has been set aside as Alzheimer's Disease Awareness Month to promote advocacy activities and the study of Alzheimer's disease and to honor those whose lives have been impacted by Alzheimer's; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 2012 as **ALZHEIMER'S DISEASE AWARENESS MONTH** in Illinois, to raise awareness about Alzheimer's, and in support of efforts to combat this debilitating disease that affects so many families in our state.

Issued by the Governor February 6, 2012
Filed by the Secretary of State February 7, 2012

2012-47
Earth Hour

WHEREAS, the Illinois Constitution states that each person has the right to a healthful environment; and,

WHEREAS, the duty of each Illinoisan is to minimize the causes of climate change and maintain a healthful environment for the benefit of this and future generations; and,

WHEREAS, on March 31, 2012 people in more than 5,200 cities and towns in 135 countries will make a statement about the environment and climate change by turning their lights off for sixty minutes in participation of Earth Hour; and,

WHEREAS, Earth Hour was created by the World Wildlife Fund in Sydney, Australia in 2007, and has grown from an event in one city to a global movement, reaching 1.8 billion in 2011; and,

WHEREAS, Illinois is working to encourage green practices, and committed to conserving energy, protecting natural resources, and preventing water, air and land pollution; and,

WHEREAS, participation will demonstrate that, by working together, each one of us can make a positive impact to help combat the effects of climate change; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim 8:30-9:30 pm. March 31, 2012 as **EARTH HOUR** in Illinois in support of this remarkable movement to raise awareness about global warming and climate change, and challenge everyone to make Earth Hour part of your everyday life.

Issued by the Governor February 6, 2012
Filed by the Secretary of State February 7, 2012

2012-48
Women's History Month

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and,

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and,

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and,

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and,

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and,

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and others, including the peace movement, which create a more fair and just society for all; and,

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued in literature, teaching and the study of American history:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2012 as **WOMEN'S HISTORY MONTH** in Illinois, and encourage all citizens to recognize the integral role that women's achievements play in the history of our nation.

Issued by the Governor February 6, 2012
Filed by the Secretary of State February 7, 2012

2012-49
Huntington's Disease Awareness Week

WHEREAS, Huntington's Disease is a progressive degenerative neurological disease that causes total physical and mental deterioration over a 12-15 year period; and,

WHEREAS, currently, Huntington's Disease affects approximately 30,000 patients and 200,000 genetically "at risk" individuals in the United States; and,

WHEREAS, since the discovery of the gene that causes Huntington's Disease in 1939, the pace of its research has accelerated; and,

WHEREAS, although no effective treatment or cure currently exists, scientists and researchers are hopeful that breakthroughs will be forthcoming; and,

WHEREAS, researchers are conducting important research projects involving Huntington's Disease; and,

WHEREAS, the Huntington's Disease Society of America (HDSA) dedicates its tireless efforts to advocating for families, educating the public, and providing support and services to affected families living with this disease; and,

WHEREAS, on May 20, 2012 the Illinois Chapter of HDSA will hold its 8th Annual TEAM HOPE - Walk For A Cure to raise funds for research into a cure or treatment for Huntington's Disease;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of May 14-20, 2012 as **HUNTINGTON'S DISEASE AWARENESS WEEK** in Illinois, to raise awareness of this devastating disease and in support of the efforts of the Illinois Chapter of the Huntington's Disease Society of America.

Issued by the Governor February 6, 2012
Filed by the Secretary of State February 7, 2012

2012-50
National Nutrition Month

WHEREAS, good nutrition is essential for growth and development, health and well-being; and

WHEREAS, nutritional factors play a large role in the incidence of preventable illness and premature death, and many diseases are associated with overweight and obesity; and

WHEREAS, healthy eating in childhood and adolescence is important for proper growth and development and can prevent health problems such as obesity, dental cavities, iron deficiency, and osteoporosis; and

WHEREAS, the problems of overweight and food insecurity are growing issues for Illinoisans; and

WHEREAS, 62 percent of Illinois adults are overweight or obese; and

WHEREAS, 77 percent of Illinoisans do not eat the recommended amounts of fruits and vegetables and 25 percent are not regularly physically active; and

WHEREAS, 1,532,238 people, including 500,000 children, now live in poverty in Illinois – 12.2% of the total population; and

WHEREAS, educating Illinoisans about health and nutrition is an important part of establishing healthy habits; and

WHEREAS, it is important for the people in Illinois communities to be aware of the existence of community nutrition programs; and

WHEREAS, community nutrition programs are important to the health and wellness of all they serve; and

WHEREAS, the Robin A. Orr Community Partnership Award was created in 2010 to recognize a lifetime commitment to outstanding service for persons seeking to improve their nutrition and lifestyle; and

WHEREAS, this award recognizes organizations making a difference in the lives and health of the underserved persons they serve by engaging in health promotion and by increasing access to food, conducting health promotion activities or preventing diet-related diseases; and

WHEREAS, March is a time of national recognition and awareness related to improving nutrition habits and knowledge; and

WHEREAS, the Illinois Department of Human Services and the Illinois Interagency Nutrition Council are joining nutrition professionals in Illinois and throughout the United States to promote food security, good nutrition, physical activity and health during the month of March; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2012 as **NATIONAL NUTRITION MONTH** in Illinois, and encourage all citizens to take an interest in their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

Issued by the Governor February 6, 2012
Filed by the Secretary of State February 7, 2012

ILLINOIS ADMINISTRATIVE CODE
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