

2003

ILLINOIS

REGISTER RULES OF GOVERNMENTAL AGENCIES



Volume 27 Issue 27
July 07, 2003
Pages 9656 - 10137

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

Printed on recycled paper

PUBLISHED BY JESSE WHITE • SECRETARY OF STATE

TABLE OF CONTENTS

July 07, 2003 Volume 27, Issue 27

PROPOSED RULES

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
Pay Plan	
80 Ill. Adm. Code 310	9656
COMMERCE COMMISSION, ILLINOIS	
Customer Credits	
83 Ill. Adm. Code 732	9685
Minimum Clearances Applicable to Tracks, Structures, Fixtures and Other	
Appurtenances of Railroads	
92 Ill. Adm. Code 1500	9690
Registration of Rail Carriers	
92 Ill. Adm. Code 1501	9705
Report of Railroad Accidents/Incidents	
92 Ill. Adm. Code 1515	9709
Crossings of Rail Carriers and Highways	
92 Ill. Adm. Code 1535	9714
Grade Crossing Closure and Opening	
92 Ill. Adm. Code 1536	9728
Hazardous Materials	
92 Ill. Adm. Code 1605	9736
FIRE MARSHAL, OFFICE OF THE STATE	
Petroleum Equipment Contractors Licensing	
41 Ill. Adm. Code 172	9740
HUMAN SERVICES, DEPARTMENT OF	
Public Use of DHS Facilities	
89 Ill. Adm. Code 546	9773
NATURAL RESOURCES, DEPARTMENT OF	
Duck, Goose and Coot Hunting	
17 Ill. Adm. Code 590	9778
POLLUTION CONTROL BOARD	
Sewer Discharge Criteria	
35 Ill. Adm. Code 307	9835
Pretreatment Programs	
35 Ill. Adm. Code 310	9875
Permits	
35 Ill. Adm. Code 602	9895
PROFESSIONAL REGULATION, DEPARTMENT OF	
Nursing and Advanced Practice Nursing Act - Advanced Practice Nurse	
68 Ill. Adm. Code 1305	9903

ADOPTED RULES

JUDGES' RETIREMENT SYSTEM

Public Information, Rulemaking and Organization	
2 Ill. Adm. Code 325	9915
AGRICULTURE, DEPARTMENT OF	
Anhydrous Ammonia, Low Pressure Nitrogen Solutions, Equipment, Containers, and Storage Facilities	
8 Ill. Adm. Code 215	9922
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	
The Travel Regulation Council	
80 Ill. Adm. Code 3000	9990
EDUCATION, ILLINOIS STATE BOARD OF	
Transitional Bilingual Education	
23 Ill. Adm. Code 228	9996
Alternative Learning Opportunities Program	
23 Ill. Adm. Code 240	10004
NATURAL RESOURCES, DEPARTMENT OF	
White-Tailed Deer Hunting by Use of Firearms	
17 Ill. Adm. Code 650	10009
White-Tailed Deer Hunting by Use of Muzzleloading Rifles	
17 Ill. Adm. Code 660	10018
White-Tailed Deer Hunting by Use of Bow and Arrow	
17 Ill. Adm. Code 670	10025
Possession of Specimens or Products of Endangered or Threatened Species	
17 Ill. Adm. Code 1070	10040
Capacity Plates Standards on Various Watercraft	
17 Ill. Adm. Code 2070	10053
NUCLEAR SAFETY, ILLINOIS DEPARTMENT OF	
Use of Radionuclides in the Healing Arts	
32 Ill. Adm. Code 335	10057
PROFESSIONAL REGULATION, DEPARTMENT OF	
Acupuncture Practice Act	
68 Ill. Adm. Code 1140	10103
AGENCY MODIFICATION IN RESPONSE TO A STATEMENT OF OBJECTION	
PROFESSIONAL REGULATION, DEPARTMENT OF	
Acupuncture Practice Act	
68 Ill. Adm. Code 1140	10116
JOINT COMMITTEE ON ADMINISTRATIVE RULES	
JOINT COMMITTEE ON ADMINISTRATIVE RULES SCHEDULED	
MEETING: JRTC 16-503 Chicago, Ill. 10:30am July 8, 2003	
Camping on Department of Natural Resources Properties	
17 Ill. Adm. Code 130 Proposed.....	10117
Squirrel Hunting	
17 Ill. Adm. Code 690 Proposed.....	10117
Conservation Reserve Enhancement Program (CREP)	
17 Ill. Adm. Code 1515 Proposed.....	10117

Certification	
23 Ill. Adm. Code 25 Proposed.....	10117
The Campaign Financing Act	
26 Ill. Adm. Code 100 Agency Responses.....	10117
Practice and Procedure	
26 Ill. Adm. Code 125 Agency Responses.....	10117
Brownfields Redevelopment Grant Program	
35 Ill. Adm. Code 885 Proposed	10117
General Provisions	
35 Ill. Adm. Code 900 Proposed	10117
Rules and Regulations for the Control of Noise from Motor Racing	
35 Ill. Adm. Code 903 Proposed	10117
The Professional Engineering Practice Act of 1989	
68 Ill. Adm. Code 1380 Proposed.....	10117
Home Inspector License Act	
68 Ill. Adm. Code 1410 Proposed.....	10117
Compulsive Gambling	
77 Ill. Adm. Code 2059 Proposed.....	10117
Alcoholism and Substance Abuse Treatment and Intervention Licenses	
77 Ill. Adm. Code 2060 Proposed	10117
Subacute Alcoholism and Substance Abuse Treatment Services	
77 Ill. Adm. Code 2090 Proposed.....	10117
Practice in Administrative Hearings	
89 Ill. Adm. Code 104 Proposed.....	10117
Related Program Provisions	
89 Ill. Adm. Code 117 Proposed	10117
Medical Payment	
89 Ill. Adm. Code 140 Proposed.....	10117
Early Intervention Program	
89 Ill. Adm. Code 500 Proposed	10117
Application	
89 Ill. Adm. Code 557 Proposed.....	10117
Customer Financial Participation	
89 Ill. Adm. Code 562 Proposed.....	10117
Comparable Benefits	
89 Ill. Adm. Code 567 Proposed.....	10117
Services	
89 Ill. Adm. Code 590 Proposed.....	10117
Closure of a Rehabilitation Case	
89 Ill. Adm. Code 595 Proposed.....	10117
Closure (Repealed)	
89 Ill. Adm. Code 617 Proposed.....	10117
Procedures and Standards	
92 Ill. Adm. Code 1001 Proposed.....	10117

SECOND NOTICES RECEIVED

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Certification

23 Ill. Adm. Code 2510121

General Provisions

35 Ill. Adm. Code 90010121

Rules and Regulations for the Control of Noise from Motor Racing

35 Ill. Adm. Code 90310121

Early Intervention Program

89 Ill. Adm. Code 50010121

EXECUTIVE ORDERS AND PROCLAMATIONS

EXECUTIVE ORDERS

Executive Order On Prescription Drugs

03 - 1510122

REGULATORY AGENDA

CARNIVAL AMUSMENT SAFETY BOARD

Carnival and Amusement Ride Inspection Law

56 Ill. Adm. Code 6000.8010124

INSURANCE, ILLINOIS DEPARTMENT OF

Internal Security Standard and Fidelity Bonds

50 Ill. Adm. Code 90410125

NOTICES REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS

HUMAN SERVICES, DEPARTMENT OF

Appeals and Hearings

89 Ill. Adm. Code 51010135

POLLUTION CONTROL BOARD

Listings of Adjusted Standards and Combined Sewer Overflow Exceptions

Granted By the Board During Fiscal Year 2003.....10136

ISSUES INDEX I – 1

Editor’s Note 1: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedules for the quarterly and annual indexes are (End of March, June, Sept, and Dec) as follows:

Issue 28 - July 11, 2003: Data through June 30, 2003 (2nd Quarter)

Issue 41 - October 10, 2003: Data through September 29, 2003 (3rd Quarter)

Issue 2 - January 9, 2004: Data through December 29, 2003 (Annual)

Issue 15 - April 00, 2004: Data through March 31, 2004 (1stQuarter)

Editor’s Note 2: Submit all rulemaking documentation to the following address:

Secretary of State

Department of Index
Administrative Code Division
111 East Monroe Street
Springfield, Illinois 62756

Editor's Note3:

To: All State Agencies – Springfield Area
From: Secretary of State
Department of Index
Administrative Code Division

The Code Division will be conducting a monthly workshop. This is the opportunity for the Administrative Code Division to ask the question “How can we help you?” Each month will consist of different discussion topics. State agencies will be able to select one or more workshops to attend. Please return the included registration form at least two weeks prior to the scheduled workshop. Topics will come from the Secretary of State’s Style Manual and 1 Ill. Adm. Code 100. All workshops will be scheduled from 8:30am to 12:00pm on selected dates. Unless otherwise announced workshops will be held at the Illinois State Library, 300 S. Second St., Rm. 403-404, Springfield, IL. 62701. If you have any questions or concerns please contact our office (217)782-6537.

To: All State Agencies in the Chicago Area
From: Secretary of State
Department of Index
Administrative Code Division

Our department will be conducting a bi-monthly workshop. This is the opportunity for the Administrative Code Division to ask the Chicago area “How can I help you?” Each session will consist of different discussion topics. Topics will range from – Trouble shooting with formatting, Secretary Style Manual and 1 Illinois Administrative Code 100.

Workshop Schedule and Signup Sheet on following page:

**Secretary of State
Department of Index
Administrative Code Division**
SPRINGFIELD AREA - Workshop Schedule and Signup Sheet



Springfield – July 23, 2003

Topics:

Number
Attending

- Proposed Rulemaking
 - Regulatory Agenda
 - 1st Notice - Proposed
 - 2nd Notice – JCAR Approval
 - Final Notice - Adopted

Agency Name: _____
Contact Name: _____
Address: _____
City/Zip: _____
Phone Number: _____

Please return this registration sheets to: Springfield Workshops

Secretary of State	Illinois State Library
Department of Index	300 S. Second St.
Administrative Code Division	Rm. 403-404
Attn: Brenna Boston	Springfield, IL 62701
111 E. Monroe	8:30am – 12:00pm
Springfield, IL 62756	
Fax Number: (217) 524-0308	

If you have any question please call (217) 782-6537.

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. The Register will also contain the Cumulative Index and Sections Affected Indices will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are the end of March, June, Sept, Dec.

Rulemaking activity consist 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 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'

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5ILCS 100/1-1 et seq.].

2003 REGISTER SCHEDULE VOLUME # 27

<u>Issue#</u>	<u>Copy Due by 4:30 pm</u>	<u>Publication Date</u>	<u>Issue#</u>	<u>Copy Due by 4:30 pm</u>	<u>Publication Date</u>
Issue 1	December 23, 2002	January 03, 2003	Issue 38	September 08, 2003	September 19, 2003
Issue 2	December 31, 2002	January 10, 2003	Issue 39	September 15, 2003	September 26, 2003
Issue 3	January 06, 2003	January 17, 2003	Issue 40	September 22, 2003	October 03, 2003
Issue 4	January 13, 2003	January 24, 2003	Issue 41	September 29, 2003	October 10, 2003
Issue 5	January 21, 2003	January 31, 2003	Issue 42	October 06, 2003	October 17, 2003
Issue 6	January 27, 2003	February 07, 2003	Issue 43	October 14, 2003	October 24, 2003
Issue 7	February 03, 2003	February 14, 2003	Issue 44	October 20, 2003	October 31, 2003
Issue 8	February 10, 2003	February 21, 2003	Issue 45	October 27, 2003	November 07, 2003
Issue 9	February 18, 2003	February 28, 2003	Issue 46	November 03, 2003	November 14, 2003
Issue 10	February 24, 2003	March 07, 2003	Issue 47	November 10, 2003	November 21, 2003
Issue 11	March 03, 2003	March 14, 2003	Issue 48	November 17, 2003	November 28, 2003
Issue 12	March 10, 2003	March 21, 2003	Issue 49	November 24, 2003	December 05, 2003
Issue 13	March 17, 2003	March 28, 2003	Issue 50	December 01, 2003	December 12, 2003
Issue 14	March 24, 2003	April 04, 2003	Issue 51	December 08, 2003	December 19, 2003
Issue 15	March 31, 2003	April 11, 2003	Issue 52	December 15, 2003	December 26, 2003
Issue 16	April 07, 2003	April 18, 2003			
Issue 17	April 14, 2003	April 25, 2003			
Issue 18	April 21, 2003	May 02, 2003			
Issue 19	April 28, 2003	May 09, 2003			
Issue 20	May 05, 2003	May 16, 2003			
Issue 21	May 12, 2003	May 23, 2003			
Issue 22	May 19, 2003	May 30, 2003			
Issue 23	May 27, 2003	June 06, 2003			
Issue 24	June 02, 2003	June 13, 2003			
Issue 25	June 09, 2003	June 20, 2003			
Issue 26	June 16, 2003	June 27, 2003			
Issue 27	June 23, 2003	July 07, 2003			
Issue 28	June 30, 2003	July 11, 2003			
Issue 29	July 07, 2003	July 18, 2003			
Issue 30	July 14, 2003	July 25, 2003			
Issue 31	July 21, 2003	August 01, 2003			
Issue 32	July 28, 2003	August 08, 2003			
Issue 33	August 04, 2003	August 15, 2003			
Issue 34	August 11, 2003	August 22, 2003			
Issue 35	August 18, 2003	August 29, 2003			
Issue 36	August 25, 2003	September 05, 2003			
Issue 37	September 02, 2003	September 12, 2003			

Printed by authority of the State of Illinois
July 2001 - 675 - GA -82

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Proposed Action:
- | | |
|---------|-------|
| 310.280 | Amend |
| Table W | Amend |
- 4) Statutory Authority:
- Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) A Complete Description of the Subjects and Issues Involved:
- In Section 310.280, Designated Rate, a Medical Administrator V (26406-10-76-000-00-01) position is being added with the annual salary of \$186,000 for the Department of Human Services, effective April 7, 2003.
- In Section 310.Appendix A, Table W, RC-062 (Technical Employees, AFSCME), the Disability Appeals Officer was included into the RC-062 Bargaining Unit with the salary placement of RC-062-21, effective November 2, 2000.
- Effective April 16, 2003, the salary grade for the Disability Appeals Officer was upgraded to RC-062-22 with the arbitration agreement signed on May 28, 2003 to be effective April 16, 2003.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? ___ Yes _X_ No
- If "yes", please specify date:
- 8) Do these proposed amendments contain any incorporations by reference? No.
- 9) Are there any proposed amendments pending to this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.280	Amend	27 Ill. Reg. 8570, 5/30/03
Table L	Amend	27 Ill. Reg. 8570, 5/30/03
Table W	Amend	27 Ill. Reg. 8570, 5/30/03

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

310.280 Amend 27 Ill. Reg. 9277, 6/05/03

10) Statement of Statewide Objectives:

These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Ms. Marianne Armento
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.
- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January, 2003

The full text of the proposed amendment begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICESPART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2003
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section	
310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units (Repealed)
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guide chart for Fiscal Year 2003
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
310.APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU) (Repealed)
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)
TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers)
310.APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 2003
310.APPENDIX C	Medical Administrator Rates for Fiscal Year 2003
310.APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2003
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2003

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

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory at 21 Ill. Reg. 16465, effective December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999, amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; preemptory amendment at

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency amendment expired on March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; amended at 27 Ill. Reg. _____, effective _____.

SUBPART B: SCHEDULE OF RATES

Section 310.280 Designated Rate

[Department of Central Management Services](#)

Senior Public Service Administrator (Pos. No. 40070-37-00-000-05-01)	<u>Annual Salary</u> 120,900
-------------------------------------------------------------------------	-------------------------------------------------

[Department of Children & Family Services](#)

Public Service Administrator (Pos. No. 37015-16-23-120-00-01)	<u>Annual Salary</u> 85,104
------------------------------------------------------------------	------------------------------------------------

[Department of Commerce & Community Affairs](#)

Administrative Assistant II (Pos. No. 00502-42-00-040-11-01)	<u>Annual Salary</u> 63,840
-----------------------------------------------------------------	------------------------------------------------

Public Information Officer IV (Pos. No. 37004-42-00-005-10-01)	<u>Annual Salary</u> 69,792
-------------------------------------------------------------------	------------------------------------------------

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Public Service Administrator
(Pos. No. 37015-42-35-110-10-03) [Annual Salary](#)
78,612

Public Service Administrator
(Pos. No. 37015-42-35-140-20-01) [Annual Salary](#)
96,360

[Department of Human Services](#)

Administrative Assistant I
(Pos. No. 00501-10-68-010-80-21) [Annual Salary](#)
55,200

Medical Administrator I, Option D
(Pos. No. 26401-10-79-006-00-21) [Annual Salary](#)
142,368

[Medical Administrator V](#)
(Pos. No. 26406-10-76-000-00-01) [Annual Salary](#)
186,000

Public Service Administrator
(Pos. No. 37015-10-23-100-30-01) [Annual Salary](#)
76,572

Senior Public Service Administrator
(Pos. No. 40070-10-65-000-00-01) [Annual Salary](#)
105,475

Senior Public Service Administrator
(Pos. No. 40070-10-81-920-00-21) [Annual Salary](#)
105,480

[Illinois Labor Relations Board](#)

Private Secretary II
(Pos. No. 34202-50-19-000-00-01) [Annual Salary](#)
51,900

[Department of Natural Resources](#)

Administrative Assistant II
(Pos. No. 00502-12-30-000-20-01) [Annual Salary](#)
50,520

[Department of Public Aid](#)

Senior Public Service Administrator [Annual Salary](#)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

(Pos. No. 40070-33-20-000-00-61) 123,060

Department of Revenue

Public Service Administrator Annual Salary
(Pos. No. 37015-25-61-140-80-01) 76,668

Department of State Police

Senior Public Service Administrator Annual Salary
(Pos. No. 40070-21-10-000-00-01) 117,828

Senior Public Service Administrator Annual Salary
(Pos. No. 40070-21-40-000-00-01) 117,828

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 310. Appendix A. TABLE W RC-062 (Technical Employees, AFSCME)

Title	Salary Grade	Code
Accountant	RC-062-14	00130
Accountant Advanced	RC-062-16	00133
Accounting and Fiscal Administration	RC-062-12	00140
Career Trainee		
Activity Therapist	RC-062-15	00157
Activity Therapist Coordinator	RC-062-17	00160
Actuarial Assistant	RC-062-16	00187
Actuarial Examiner	RC-062-16	00195
Actuarial Examiner Trainee	RC-062-13	00196
Actuarial Senior Examiner	RC-062-19	00197
Actuary I	RC-062-20	00201
Actuary II	RC-062-24	00202
Agricultural Market News Assistant	RC-062-12	00804
Agricultural Marketing Generalist	RC-062-14	00805
Agricultural Marketing Reporter	RC-062-18	00807
Agricultural Marketing Representative	RC-062-18	00810
Agriculture Land and Water Resource	RC-062-14	00831
Specialist I		
Agriculture Land and Water Resource	RC-062-17	00832
Specialist II		

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Agriculture Land and Water Resource Specialist III	RC-062-20	00833
Aircraft Pilot I	RC-062-18	00955
Aircraft Pilot I (Eff. 07-01-01)	RC-062-19	00955
Aircraft Pilot II	RC-062-21	00956
Aircraft Pilot II (Eff. 07-01-01)	RC-062-22	00956
Appraisal Specialist I	RC-062-14	01251
Appraisal Specialist II	RC-062-16	01252
Appraisal Specialist III	RC-062-18	01253
Arts Council Associate	RC-062-12	01523
Arts Council Program Coordinator	RC-062-18	01526
Arts Council Program Representative	RC-062-15	01527
Bank Examiner I	RC-062-16	04131
Bank Examiner II	RC-062-19	04132
Bank Examiner III	RC-062-22	04133
Behavioral Analyst I	RC-062-17	04351
Behavioral Analyst II	RC-062-19	04352
Behavioral Analyst Associate	RC-062-15	04355
Business Administrative Specialist	RC-062-16	05810
Buyer	RC-062-18	05900
Carnival and Amusement Safety Inspector	RC-062-16	06550
Carnival and Amusement Safety Inspector Trainee	RC-062-10	06555
Chemist I	RC-062-16	06941
Chemist II	RC-062-19	06942
Chemist III	RC-062-21	06943
Child Protective Associate Investigator	RC-062-15	07187
Child Protective Investigator	RC-062-17	07188
Child Protective Lead Investigator	RC-062-18	07189
Child Welfare Staff Development Coordinator I	RC-062-17	07201
Child Welfare Staff Development Coordinator II	RC-062-19	07202
Child Welfare Staff Development Coordinator III	RC-062-20	07203
Child Welfare Staff Development Coordinator IV	RC-062-22	07204
Child Welfare Specialist	RC-062-15	07211

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Children and Family Service Intern – Option 1	RC-062-12	07241
Children and Family Service Intern – Option 2	RC-062-15	07242
Clinical Laboratory Technologist I	RC-062-18	08220
Clinical Laboratory Technologist II	RC-062-19	08221
Clinical Laboratory Technologist Trainee	RC-062-14	08229
Communications Systems Specialist	RC-062-23	08860
Community Management Specialist I	RC-062-15	08891
Community Management Specialist II	RC-062-17	08892
Community Management Specialist III	RC-062-19	08893
Community Planner I	RC-062-15	08901
Community Planner II	RC-062-17	08902
Community Planner III	RC-062-19	08903
Computer Information Consultant Trainee	RC-062-14	08945
Computer Systems Software Specialist Trainee	RC-062-14	09005
Conservation Education Representative	RC-062-12	09300
Conservation Grant Administrator I	RC-062-18	09311
Conservation Grant Administrator II	RC-062-20	09312
Conservation Grant Administrator III	RC-062-22	09313
Construction Program Assistant	RC-062-12	09525
Correctional Counselor I	RC-062-15	09661
Correctional Counselor II	RC-062-17	09662
Correctional Counselor III	RC-062-19	09663
Corrections Academy Trainer	RC-062-17	09732
Corrections Apprehension Specialist	RC-062-19	09750
Corrections Industries Marketing Representative	RC-062-17	09803
Corrections Leisure Activities Specialist I	RC-062-14	09811
Corrections Leisure Activities Specialist I (Eff. 07-01-01)	RC-062-15	09811
Corrections Leisure Activities Specialist II	RC-062-16	09812
Corrections Leisure Activities Specialist II (Eff. 07-01-01)	RC-062-17	09812
Corrections Leisure Activities Specialist III	RC-062-19	09813
Corrections Parole Agent	RC-062-17	09842

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Corrections Senior Parole Agent	RC-062-19	09844
Criminal Intelligence Analyst I	RC-062-18	10161
Criminal Intelligence Analyst II	RC-062-20	10162
Criminal Intelligence Analyst Specialist	RC-062-22	10165
Criminal Justice Specialist I	RC-062-16	10231
Criminal Justice Specialist II	RC-062-20	10232
Curator of the Lincoln Collection	RC-062-16	10750
Day Care Licensing Representative I	RC-062-15	11471
Developmental Disabilities Council Program Planner I	RC-062-12	12361
Developmental Disabilities Council Program Planner II	RC-062-16	12362
Developmental Disabilities Council Program Planner III	RC-062-18	12363
Dietitian	RC-062-14	12510
Dietitian (Eff. 07-01-01)	RC-062-15	12510
Disability Appeals Officer	RC-062-21	12530
Disability Appeals Officer (Eff. 04-16-03)	RC-062-22	12530
Disability Claims Adjudicator I	RC-062-15	12537
Disability Claims Adjudicator II	RC-062-17	12538
Disability Claims Analyst	RC-062-20	12540
Disability Claims Specialist	RC-062-18	12558
Disaster Services Planner	RC-062-19	12585
Document Examiner	RC-062-22	12640
Educator - Provisional	RC-062-12	13105
Employment Security Manpower Representative I	RC-062-12	13621
Employment Security Manpower Representative II	RC-062-14	13622
Employment Security Program Representative	RC-062-14	13650
Employment Security Program Representative - Intermittent	RC-062-14H	13651
Employment Security Service Representative	RC-062-16	13667
Employment Security Specialist I	RC-062-14	13671
Employment Security Specialist II	RC-062-16	13672
Employment Security Specialist III	RC-062-19	13673

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Employment Security Tax Auditor I	RC-062-17	13681
Employment Security Tax Auditor II	RC-062-19	13682
Energy and Natural Resources Specialist I	RC-062-15	13711
Energy and Natural Resources Specialist II	RC-062-17	13712
Energy and Natural Resources Specialist III	RC-062-19	13713
Energy and Natural Resources Specialist Trainee	RC-062-12	13715
Environmental Health Specialist I	RC-062-14	13768
Environmental Health Specialist II	RC-062-16	13769
Environmental Health Specialist III	RC-062-18	13770
Environmental Protection Associate	RC-062-12	13785
Environmental Protection Specialist I	RC-062-14	13821
Environmental Protection Specialist II	RC-062-16	13822
Environmental Protection Specialist III	RC-062-18	13823
Environmental Protection Specialist IV	RC-062-22	13824
Financial Institution Examiner I	RC-062-16	14971
Financial Institution Examiner II	RC-062-19	14972
Financial Institution Examiner III	RC-062-22	14973
Financial Institution Examiner Trainee	RC-062-13	14978
Flight Safety Coordinator	RC-062-21	15640
Forensic Scientist I	RC-062-18	15891
Forensic Scientist II	RC-062-20	15892
Forensic Scientist III	RC-062-22	15893
Forensic Scientist Trainee	RC-062-15	15897
Guardianship Representative	RC-062-17	17710
Habilitation Program Coordinator	RC-062-17	17960
Handicapped Services Representative I	RC-062-11	17981
Health and Safety Officer I	RC-062-14	18001
Health and Safety Officer II	RC-062-16	18002
Health and Safety Officer Trainee	RC-062-10	18006
Health Facilities Surveyor I	RC-062-16	18011
Health Facilities Surveyor II	RC-062-19	18012
Health Facilities Surveyor III	RC-062-20	18013
Health Planning Specialist I	RC-062-19	18154
Health Planning Specialist II	RC-062-22	18155
Health Services Investigator I – Opt. A	RC-062-19	18181

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Health Services Investigator I – Opt. B	RC-062-20	18182
Health Services Investigator II – Opt. A	RC-062-22	18185
Health Services Investigator II – Opt. B	RC-062-22	18186
Health Services Investigator II – Opt. C	RC-062-23	18187
Health Services Investigator II – Opt. D	RC-062-23	18188
Historical Documents Conservator I	RC-062-13	18981
Historical Research Editor II	RC-062-14	19002
Human Relations Representative	RC-062-16	19670
Human Services Caseworker	RC-062-16	19785
Human Services Grants Coordinator I	RC-062-14	19791
Human Services Grants Coordinator II	RC-062-17	19792
Human Services Grants Coordinator III	RC-062-20	19793
Human Services Grants Coordinator Trainee	RC-062-12	19796
Human Services Sign Language Interpreter	RC-062-16	19810
Iconographer	RC-062-12	19880
Industrial Services Consultant I	RC-062-14	21121
Industrial Services Consultant II	RC-062-16	21122
Industrial Services Consultant Trainee	RC-062-11	21125
Industrial Services Hygienist	RC-062-19	21127
Industrial Services Hygienist Technician	RC-062-16	21130
Industrial Services Hygienist Trainee	RC-062-12	21133
Instrument Designer	RC-062-18	21500
Insurance Analyst III	RC-062-14	21563
Insurance Analyst IV	RC-062-16	21564
Insurance Company Field Staff Examiner	RC-062-16	21608
Insurance Company Financial Examiner Trainee	RC-062-13	21610
Insurance Performance Examiner	RC-062-14	21671
Intermittent Unemployment Insurance Representative	RC-062-12H	21689
Laboratory Equipment Specialist	RC-062-18	22990
Laboratory Quality Specialist I	RC-062-19	23021
Laboratory Quality Specialist II	RC-062-21	23022
Laboratory Research Specialist I	RC-062-19	23027
Laboratory Research Specialist II	RC-062-21	23028
Land Acquisition Agent I	RC-062-15	23091

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Land Acquisition Agent II	RC-062-18	23092
Land Acquisition Agent III	RC-062-21	23093
Land Reclamation Specialist I	RC-062-14	23131
Land Reclamation Specialist II	RC-062-17	23132
Liability Claims Adjuster I	RC-062-14	23371
Library Associate	RC-062-12	23430
Life Sciences Career Trainee	RC-062-12	23600
Local Housing Advisor I	RC-062-14	24031
Local Housing Advisor II	RC-062-16	24032
Local Housing Advisor III	RC-062-18	24033
Local Revenue and Fiscal Advisor I	RC-062-15	24101
Local Revenue and Fiscal Advisor II	RC-062-17	24102
Local Revenue and Fiscal Advisor III	RC-062-19	24103
Lottery Sales Representative	RC-062-16	24515
Management Operations Analyst I	RC-062-18	25541
Management Operations Analyst II	RC-062-20	25542
Manpower Planner I	RC-062-14	25591
Manpower Planner II	RC-062-17	25592
Manpower Planner III	RC-062-20	25593
Manpower Planner Trainee	RC-062-12	25597
Medical Assistance Consultant I	RC-062-13	26501
Medical Assistance Consultant II	RC-062-16	26502
Medical Assistance Consultant III	RC-062-19	26503
Mental Health Specialist I	RC-062-12	26924
Mental Health Specialist II	RC-062-14	26925
Mental Health Specialist III	RC-062-16	26926
Mental Health Specialist Trainee	RC-062-11	26928
Meteorologist	RC-062-18	27120
Methods and Procedures Advisor I	RC-062-14	27131
Methods and Procedures Advisor II	RC-062-16	27132
Methods and Procedures Career Associate I	RC-062-11	27135
Methods and Procedures Career Associate II	RC-062-12	27136
Methods and Procedures Career Associate Trainee	RC-062-09	27137
Metrologist Associate	RC-062-14	27146
Microbiologist I	RC-062-16	27151
Microbiologist II	RC-062-19	27152

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Natural Resources Coordinator	RC-062-15	28831
Natural Resources Specialist	RC-062-18	28832
Natural Resources Advanced Specialist	RC-062-20	28833
Network Control Center Specialist	RC-062-21	28873
Network Control Center Technician I	RC-062-13	28875
Network Control Center Technician II	RC-062-16	28876
Network Control Center Technician Trainee	RC-062-10	28879
Paralegal Assistant	RC-062-14	30860
Police Training Specialist	RC-062-17	32990
Property Consultant	RC-062-15	34900
Property Tax Analyst I	RC-062-12	34921
Property Tax Analyst II	RC-062-14	34922
Public Aid Appeals Advisor	RC-062-18	35750
Public Aid Family Support Specialist I	RC-062-17	35841
Public Aid Investigator	RC-062-19	35870
Public Aid Investigator Trainee	RC-062-14	35874
Public Aid Lead Casework Specialist	RC-062-17	35880
Public Aid Program Quality Analyst	RC-062-19	35890
Public Aid Quality Control Reviewer	RC-062-17	35892
Public Aid Staff Development Specialist I	RC-062-15	36071
Public Aid Staff Development Specialist II	RC-062-17	36072
Public Health Educator Associate	RC-062-14	36434
Public Health Program Specialist I	RC-062-14	36611
Public Health Program Specialist II	RC-062-16	36612
Public Health Program Specialist Trainee	RC-062-12	36615
Public Information Officer I	RC-062-12	37001
Public Information Officer II	RC-062-14	37002
Railroad Safety Specialist I	RC-062-19	37601
Railroad Safety Specialist II	RC-062-21	37602
Railroad Safety Specialist III	RC-062-23	37603
Railroad Safety Specialist IV	RC-062-25	37604
Real Estate Investigator	RC-062-19	37730
Recreation Worker I	RC-062-12	38001
Recreation Worker II	RC-062-14	38002
Rehabilitation Counselor	RC-062-17	38145

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Rehabilitation Counselor Senior	RC-062-19	38158
Rehabilitation Counselor Trainee	RC-062-15	38159
Rehabilitation Services Advisor I	RC-062-20	38176
Rehabilitation Workshop Supervisor I	RC-062-12	38194
Rehabilitation Workshop Supervisor II	RC-062-14	38195
Reimbursement Officer I	RC-062-14	38199
Reimbursement Officer II	RC-062-16	38200
Research Economist I	RC-062-18	38207
Research Scientist I	RC-062-13	38231
Research Scientist II	RC-062-16	38232
Research Scientist III	RC-062-20	38233
Resource Planner I	RC-062-17	38281
Resource Planner II	RC-062-19	38282
Resource Planner III	RC-062-22	38283
Revenue Auditor I	RC-062-16	38371
Revenue Auditor II	RC-062-19	38372
Revenue Auditor III	RC-062-21	38373
Revenue Auditor III (Eff. 07-01-01)	RC-062-22	38373
Revenue Auditor Trainee	RC-062-12	38375
Revenue Collection Officer I	RC-062-15	38401
Revenue Collection Officer II	RC-062-17	38402
Revenue Collection Officer III	RC-062-19	38403
Revenue Collection Officer Trainee	RC-062-12	38405
Revenue Senior Special Agent	RC-062-23	38557
Revenue Special Agent	RC-062-19	38558
Revenue Special Agent Trainee	RC-062-14	38565
Revenue Tax Specialist I	RC-062-12	38571
Revenue Tax Specialist II	RC-062-14	38572
Revenue Tax Specialist III	RC-062-17	38573
Revenue Tax Specialist Trainee	RC-062-10	38575
Site Interpretive Coordinator	RC-062-13	41093
Site Services Specialist I	RC-062-15	41117
Site Services Specialist II	RC-062-17	41118
Site Assistant Superintendent I	RC-062-15	41071
Site Assistant Superintendent II	RC-062-17	41072
Social Service Consultant I	RC-062-18	41301
Social Service Consultant II	RC-062-19	41302
Social Service Program Planner I	RC-062-15	41311
Social Service Program Planner II	RC-062-17	41312

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Social Service Program Planner III	RC-062-20	41313
Social Service Program Planner IV	RC-062-22	41314
Social Services Career Trainee	RC-062-12	41320
Social Worker I	RC-062-15	41411
Social Worker I (Eff. 07-01-01)	RC-062-16	41411
Staff Development Technician I	RC-062-12	41781
State Police Field Specialist I	RC-062-18	42001
State Police Field Specialist II	RC-062-20	42002
Statistical Research Specialist I	RC-062-12	42741
Statistical Research Specialist II	RC-062-14	42742
Statistical Research Specialist III	RC-062-17	42743
Storage Tank Safety Specialist	RC-062-18	43005
Substance Abuse Specialist I	RC-062-17	43251
Substance Abuse Specialist II	RC-062-19	43252
Substance Abuse Specialist III	RC-062-22	43253
Telecommunications Systems Analyst	RC-062-17	45308
Telecommunications Systems Technician I	RC-062-10	45312
Telecommunications Systems Technician II	RC-062-13	45313
Unemployment Insurance Adjudicator I	RC-062-11	47001
Unemployment Insurance Adjudicator II	RC-062-13	47002
Unemployment Insurance Adjudicator III	RC-062-15	47003
Unemployment Insurance Revenue Analyst I	RC-062-15	47081
Unemployment Insurance Revenue Analyst II	RC-062-17	47082
Unemployment Insurance Revenue Specialist	RC-062-13	47087
Unemployment Insurance Special Agent I	RC-062-15	47091
Unemployment Insurance Special Agent II	RC-062-17	47092
Veterans Educational Specialist I	RC-062-15	47681
Veterans Educational Specialist II	RC-062-17	47682
Veterans Educational Specialist III	RC-062-21	47683
Veterans Employment Representative I	RC-062-14	47701
Veterans Employment Representative II	RC-062-16	47702

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Vocational Assessment Specialist	RC-062-18	48160
Volunteer Services Coordinator I	RC-062-13	48481
Volunteer Services Coordinator II	RC-062-16	48482
Wage Claims Specialist	RC-062-09	48770
Weatherization Specialist I	RC-062-14	49101
Weatherization Specialist II	RC-062-17	49102
Weatherization Specialist III	RC-062-20	49103
Weatherization Specialist Trainee	RC-062-12	49105

Effective July 1, 2001

	S T E P S										Eff.
	1c	1b	1a	1	2	3	4	5	6	7	1/1/02
RC-062-09	1961	2014	2068	2124	2196	2274	2349	2429	2505	2627	2653
RC-062-09a	2014	2068	2124	2182	2256	2336	2413	2496	2574	2700	2727
RC-062-09m	2065	2120	2176	2233	2307	2388	2465	2547	2626	2751	2779
RC-062-10	2029	2084	2141	2199	2286	2361	2443	2523	2606	2740	2767
RC-062-10a	2084	2141	2199	2259	2349	2426	2510	2593	2678	2818	2846
RC-062-10m	2135	2192	2251	2310	2400	2477	2562	2644	2730	2872	2901
RC-062-11	2110	2167	2226	2287	2373	2454	2545	2633	2715	2859	2888
RC-062-11a	2167	2226	2287	2350	2438	2522	2615	2706	2791	2942	2971
RC-062-11m	2219	2278	2338	2401	2490	2573	2667	2757	2845	2995	3025
RC-062-12	2200	2260	2322	2386	2478	2564	2663	2751	2852	3005	3035
RC-062-12a	2260	2322	2386	2452	2546	2635	2737	2830	2934	3093	3124
RC-062-12m	2312	2373	2437	2503	2598	2686	2789	2883	2988	3148	3179
RC-062-12H	13.54	13.91	14.29	14.68	15.25	15.78	16.39	16.93	17.55	18.49	18.68
RC-062-12Ha	13.91	14.29	14.68	15.09	15.67	16.22	16.84	17.42	18.06	19.03	19.22
RC-062-12Hm	14.23	14.60	15.00	15.40	15.99	16.53	17.16	17.74	18.39	19.37	19.56

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

RC-062-13	2287	2350	2415	2481	2576	2678	2779	2880	2987	3154	3186
RC-062-13a	2350	2415	2481	2549	2647	2752	2859	2963	3073	3248	3280
RC-062-13m	2401	2466	2533	2601	2699	2805	2913	3017	3129	3304	3337
RC-062-14	2388	2454	2522	2592	2694	2799	2921	3027	3143	3325	3358
RC-062-14a	2454	2522	2592	2664	2769	2880	3005	3118	3238	3426	3460
RC-062-14m	2505	2573	2643	2715	2822	2933	3059	3172	3292	3480	3515
RC-062-14H	14.70	15.10	15.52	15.95	16.58	17.22	17.98	18.63	19.34	20.46	20.66
RC-062-14Ha	15.10	15.52	15.95	16.39	17.04	17.72	18.49	19.19	19.93	21.08	21.29
RC-062-14Hm	15.42	15.83	16.26	16.71	17.37	18.05	18.82	19.52	20.26	21.42	21.63
RC-062-15	2485	2554	2625	2698	2815	2932	3048	3172	3290	3487	3522
RC-062-15a	2554	2625	2698	2773	2896	3017	3138	3268	3388	3591	3627
RC-062-15m	2605	2676	2749	2826	2950	3070	3194	3322	3443	3647	3683
RC-062-16	2600	2672	2746	2824	2951	3080	3210	3343	3477	3682	3719
RC-062-16a	2672	2746	2824	2906	3036	3173	3307	3442	3581	3793	3831
RC-062-16m	2724	2799	2878	2959	3091	3229	3362	3498	3637	3847	3885
RC-062-17	2717	2794	2875	2958	3096	3239	3375	3511	3654	3872	3911
RC-062-17a	2794	2875	2958	3044	3188	3336	3476	3617	3764	3988	4028
RC-062-17m	2847	2928	3012	3098	3244	3392	3532	3673	3819	4044	4084
RC-062-18	2856	2939	3024	3113	3265	3416	3571	3718	3867	4097	4138
RC-062-18a	2939	3024	3113	3207	3364	3519	3679	3830	3983	4220	4262
RC-062-18m	2992	3077	3169	3261	3419	3575	3734	3885	4039	4275	4318
RC-062-19	3006	3094	3186	3282	3450	3612	3780	3938	4103	4351	4395
RC-062-19a	3094	3186	3282	3380	3553	3719	3894	4057	4227	4482	4527
RC-062-19m	3149	3242	3338	3435	3609	3774	3949	4113	4282	4537	4582

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

19m

RC-062-20	3174	3270	3368	3468	3643	3813	3993	4167	4338	4603	4649
RC-062-20a	3270	3368	3468	3572	3752	3928	4114	4291	4469	4742	4789
RC-062-20m	3324	3424	3524	3627	3807	3983	4169	4347	4524	4796	4844

RC-062-21	3351	3453	3556	3661	3849	4036	4225	4417	4600	4887	4936
RC-062-21a	3453	3556	3661	3771	3965	4156	4351	4548	4738	5034	5084
RC-062-21m	3507	3612	3717	3827	4020	4211	4407	4604	4793	5089	5140

RC-062-22	3542	3649	3759	3871	4072	4272	4473	4680	4876	5178	5230
RC-062-22a	3649	3759	3871	3987	4195	4400	4607	4820	5023	5334	5387
RC-062-22m	3704	3813	3927	4043	4249	4456	4661	4875	5079	5389	5443

RC-062-23	3759	3871	3987	4106	4324	4545	4760	4980	5197	5523	5578
RC-062-23a	3871	3987	4106	4230	4454	4682	4903	5129	5352	5688	5745
RC-062-23m	3927	4043	4162	4285	4509	4736	4958	5185	5408	5744	5801

RC-062-24	3999	4119	4242	4370	4602	4842	5075	5310	5550	5897	5956
RC-062-24a	4119	4242	4370	4502	4741	4987	5228	5469	5716	6075	6136
RC-062-24m	4174	4298	4425	4558	4795	5042	5283	5525	5772	6130	6191

RC-062-25	4262	4390	4521	4657	4913	5171	5429	5688	5946	6328	6391
RC-062-25a	4390	4521	4657	4796	5060	5325	5592	5859	6124	6518	6583
RC-062-25m	4446	4576	4713	4852	5116	5380	5647	5914	6179	6573	6639

Effective July 1, 2002

	S T E P S											Eff.
	1c	1b	1a	1	2	3	4	5	6	7	8	1/1/03
RC-062-09	2061	2114	2168	2224	2296	2374	2449	2529	2605	2727	2754	2782
RC-062-09a	2114	2168	2224	2282	2356	2436	2513	2596	2674	2801	2829	2857
RC-062-	2165	2220	2276	2333	2407	2488	2565	2647	2726	2854	2883	2911

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

09m

RC-062-10	2129	2184	2241	2299	2386	2461	2543	2623	2706	2843	2871	2900
RC-062-10a	2184	2241	2299	2359	2449	2526	2610	2693	2778	2924	2953	2982
RC-062-	2235	2292	2351	2410	2500	2577	2662	2744	2832	2980	3010	3040

10m

RC-062-11	2210	2267	2326	2387	2473	2554	2645	2733	2817	2966	2996	3025
RC-062-11a	2267	2326	2387	2450	2538	2622	2715	2807	2896	3052	3083	3113
RC-062-	2319	2378	2438	2501	2590	2673	2767	2860	2952	3107	3138	3169

11m

RC-062-12	2300	2360	2422	2486	2578	2664	2763	2854	2959	3118	3149	3180
RC-062-12a	2360	2422	2486	2552	2646	2735	2840	2936	3044	3209	3241	3273
RC-062-	2412	2473	2537	2603	2698	2787	2894	2991	3100	3266	3299	3331

12m

RC-062-12H	14.15	14.52	14.90	15.30	15.86	16.39	17.00	17.56	18.21	19.19	19.38	19.57
RC-062-12Ha	14.52	14.90	15.30	15.70	16.28	16.83	17.48	18.07	18.73	19.75	19.94	20.14
RC-062-12Hm	14.84	15.22	15.61	16.02	16.60	17.15	17.81	18.41	19.08	20.10	20.30	20.50

RC-062-13	2387	2450	2515	2581	2676	2778	2883	2988	3099	3272	3305	3337
RC-062-13a	2450	2515	2581	2649	2747	2855	2966	3074	3188	3370	3404	3437
RC-062-	2501	2566	2633	2701	2800	2910	3022	3130	3246	3428	3462	3497

13m

RC-062-14	2488	2554	2622	2692	2795	2904	3031	3141	3261	3450	3485	3519
RC-062-14a	2554	2622	2692	2764	2873	2988	3118	3235	3359	3554	3590	3625
RC-062-	2605	2673	2743	2817	2928	3043	3174	3291	3415	3611	3647	3683

14m

RC-062-14H	15.31	15.72	16.14	16.57	17.20	17.87	18.65	19.33	20.07	21.23	21.45	21.66
RC-062-14Ha	15.72	16.14	16.57	17.01	17.68	18.39	19.19	19.91	20.67	21.87	22.09	22.31
RC-062-14Hm	16.03	16.45	16.88	17.34	18.02	18.73	19.53	20.25	21.02	22.22	22.44	22.66

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

RC-062-15	2585	2654	2725	2799	2921	3042	3162	3291	3413	3618	3654	3690
RC-062-15a	2654	2725	2799	2877	3005	3130	3256	3391	3515	3726	3763	3801
RC-062-15m	2705	2776	2852	2932	3061	3185	3314	3447	3572	3784	3822	3860
RC-062-16	2700	2772	2849	2930	3062	3196	3330	3468	3607	3820	3858	3896
RC-062-16a	2772	2849	2930	3015	3150	3292	3431	3571	3715	3935	3974	4014
RC-062-16m	2826	2904	2986	3070	3207	3350	3488	3629	3773	3991	4031	4071
RC-062-17	2819	2899	2983	3069	3212	3360	3502	3643	3791	4017	4057	4097
RC-062-17a	2899	2983	3069	3158	3308	3461	3606	3753	3905	4138	4179	4221
RC-062-17m	2954	3038	3125	3214	3366	3519	3664	3811	3962	4196	4238	4280
RC-062-18	2963	3049	3137	3230	3387	3544	3705	3857	4012	4251	4294	4336
RC-062-18a	3049	3137	3230	3327	3490	3651	3817	3974	4132	4378	4422	4466
RC-062-18m	3104	3192	3288	3383	3547	3709	3874	4031	4190	4435	4479	4524
RC-062-19	3119	3210	3305	3405	3579	3747	3922	4086	4257	4514	4559	4604
RC-062-19a	3210	3305	3405	3507	3686	3858	4040	4209	4386	4650	4697	4743
RC-062-19m	3267	3364	3463	3564	3744	3916	4097	4267	4443	4707	4754	4801
RC-062-20	3293	3393	3494	3598	3780	3956	4143	4323	4501	4776	4824	4872
RC-062-20a	3393	3494	3598	3706	3893	4075	4268	4452	4637	4920	4969	5018
RC-062-20m	3449	3552	3656	3763	3950	4132	4325	4510	4694	4976	5026	5076
RC-062-21	3477	3582	3689	3798	3993	4187	4383	4583	4773	5070	5121	5171
RC-062-21a	3582	3689	3798	3912	4114	4312	4514	4719	4916	5223	5275	5327
RC-062-21m	3639	3747	3856	3971	4171	4369	4572	4777	4973	5280	5333	5386
RC-062-22	3675	3786	3900	4016	4225	4432	4641	4856	5059	5372	5426	5479
RC-062-22a	3786	3900	4016	4137	4352	4565	4780	5001	5211	5534	5589	5645
RC-062-22m	3843	3956	4074	4195	4408	4623	4836	5058	5269	5591	5647	5703

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

RC-062-23	3900	4016	4137	4260	4486	4715	4939	5167	5392	5730	5787	5845
RC-062-23a	4016	4137	4260	4389	4621	4858	5087	5321	5553	5901	5960	6019
RC-062- 23m	4074	4195	4318	4446	4678	4914	5144	5379	5611	5959	6019	6078

RC-062-24	4149	4273	4401	4534	4775	5024	5265	5509	5758	6118	6179	6240
RC-062-24a	4273	4401	4534	4671	4919	5174	5424	5674	5930	6303	6366	6429
RC-062- 24m	4331	4459	4591	4729	4975	5231	5481	5732	5988	6360	6424	6487

RC-062-25	4422	4555	4691	4832	5097	5365	5633	5901	6169	6565	6631	6696
RC-062-25a	4555	4691	4832	4976	5250	5525	5802	6079	6354	6762	6830	6897
RC-062- 25m	4613	4748	4890	5034	5308	5582	5859	6136	6411	6819	6887	6955

Effective July 1, 2003

	S T E P S											Eff.
	1c	1b	1a	1	2	3	4	5	6	7	8	8 1/1/04
RC-062-09	2161	2214	2268	2324	2396	2474	2549	2630	2709	2836	2893	2921
RC-062-09a	2214	2268	2324	2382	2456	2536	2614	2700	2781	2913	2971	3000
RC-062- 09m	2265	2320	2376	2433	2507	2588	2668	2753	2835	2968	3027	3057
RC-062-10	2229	2284	2341	2399	2486	2561	2645	2728	2814	2957	3016	3046
RC-062-10a	2284	2341	2399	2459	2549	2627	2714	2801	2889	3041	3102	3132
RC-062- 10m	2335	2392	2451	2510	2600	2680	2768	2854	2945	3099	3161	3192
RC-062-11	2310	2367	2426	2487	2573	2656	2751	2842	2930	3085	3147	3178
RC-062-11a	2367	2426	2487	2550	2640	2727	2824	2919	3012	3174	3237	3269
RC-062- 11m	2419	2478	2538	2601	2694	2780	2878	2974	3070	3231	3296	3328
RC-062-12	2400	2460	2522	2586	2681	2771	2874	2968	3077	3243	3308	3340
RC-062-12a	2460	2522	2586	2654	2752	2844	2954	3053	3166	3337	3404	3437
RC-062- 12m	2512	2573	2638	2707	2806	2898	3010	3111	3224	3397	3465	3499

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

RC-062-12H	14.77	15.14	15.52	15.91	16.50	17.05	17.69	18.26	18.94	19.96	20.36	20.55
RC-062-12Ha	15.14	15.52	15.91	16.33	16.94	17.50	18.18	18.79	19.48	20.54	20.95	21.15
RC-062-12Hm	15.46	15.83	16.23	16.66	17.27	17.83	18.52	19.14	19.84	20.90	21.32	21.53
RC-062-13	2487	2550	2616	2684	2783	2889	2998	3108	3223	3403	3471	3505
RC-062-13a	2550	2616	2684	2755	2857	2969	3085	3197	3316	3505	3575	3610
RC-062-13m	2601	2669	2738	2809	2912	3026	3143	3255	3376	3565	3636	3672
RC-062-14	2588	2656	2727	2800	2907	3020	3152	3267	3391	3588	3660	3696
RC-062-14a	2656	2727	2800	2875	2988	3108	3243	3364	3493	3696	3770	3807
RC-062-14m	2709	2780	2853	2930	3045	3165	3301	3423	3552	3755	3830	3868
RC-062-14H	15.93	16.34	16.78	17.23	17.89	18.58	19.40	20.10	20.87	22.08	22.52	22.74
RC-062-14Ha	16.34	16.78	17.23	17.69	18.39	19.13	19.96	20.70	21.50	22.74	23.20	23.43
RC-062-14Hm	16.67	17.11	17.56	18.03	18.74	19.48	20.31	21.06	21.86	23.11	23.57	23.80
RC-062-15	2688	2760	2834	2911	3038	3164	3288	3423	3550	3763	3838	3876
RC-062-15a	2760	2834	2911	2992	3125	3255	3386	3527	3656	3875	3953	3991
RC-062-15m	2813	2887	2966	3049	3183	3312	3447	3585	3715	3935	4014	4053
RC-062-16	2808	2883	2963	3047	3184	3324	3463	3607	3751	3973	4052	4092
RC-062-16a	2883	2963	3047	3136	3276	3424	3568	3714	3864	4092	4174	4215
RC-062-16m	2939	3020	3105	3193	3335	3484	3628	3774	3924	4151	4234	4276
RC-062-17	2932	3015	3102	3192	3340	3494	3642	3789	3943	4178	4262	4303
RC-062-17a	3015	3102	3192	3284	3440	3599	3750	3903	4061	4304	4390	4433
RC-062-17m	3072	3160	3250	3343	3501	3660	3811	3963	4120	4364	4451	4495
RC-062-18	3082	3171	3262	3359	3522	3686	3853	4011	4172	4421	4509	4554

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

RC-062-18a	3171	3262	3359	3460	3630	3797	3970	4133	4297	4553	4644	4690
RC-062-18m	3228	3320	3420	3518	3689	3857	4029	4192	4358	4612	4704	4750
RC-062-19	3244	3338	3437	3541	3722	3897	4079	4249	4427	4695	4789	4836
RC-062-19a	3338	3437	3541	3647	3833	4012	4202	4377	4561	4836	4933	4981
RC-062-19m	3398	3499	3602	3707	3894	4073	4261	4438	4621	4895	4993	5042
RC-062-20	3425	3529	3634	3742	3931	4114	4309	4496	4681	4967	5066	5116
RC-062-20a	3529	3634	3742	3854	4049	4238	4439	4630	4822	5117	5219	5271
RC-062-20m	3587	3694	3802	3914	4108	4297	4498	4690	4882	5175	5279	5330
RC-062-21	3616	3725	3837	3950	4153	4354	4558	4766	4964	5273	5378	5431
RC-062-21a	3725	3837	3950	4068	4279	4484	4695	4908	5113	5432	5541	5595
RC-062-21m	3785	3897	4010	4130	4338	4544	4755	4968	5172	5491	5601	5656
RC-062-22	3822	3937	4056	4177	4394	4609	4827	5050	5261	5587	5699	5755
RC-062-22a	3937	4056	4177	4302	4526	4748	4971	5201	5419	5755	5870	5928
RC-062-22m	3997	4114	4237	4363	4584	4808	5029	5260	5480	5815	5931	5989
RC-062-23	4056	4177	4302	4430	4665	4904	5137	5374	5608	5959	6078	6138
RC-062-23a	4177	4302	4430	4565	4806	5052	5290	5534	5775	6137	6260	6321
RC-062-23m	4237	4363	4491	4624	4865	5111	5350	5594	5835	6197	6321	6383
RC-062-24	4315	4444	4577	4715	4966	5225	5476	5729	5988	6363	6490	6554
RC-062-24a	4444	4577	4715	4858	5116	5381	5641	5901	6167	6555	6686	6752
RC-062-24m	4504	4637	4775	4918	5174	5440	5700	5961	6228	6614	6746	6812
RC-062-25	4599	4737	4879	5025	5301	5580	5858	6137	6416	6828	6965	7033
RC-062-25a	4737	4879	5025	5175	5460	5746	6034	6322	6608	7032	7173	7243
RC-062-25m	4798	4938	5086	5235	5520	5805	6093	6381	6667	7092	7234	7305

(Source: Proposed amendment at 27 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Customer Credits
- 2) Code Citation: 83 Ill. Adm. Code 732
- 3) Section Numbers: Proposed Action:
732.10 Amendment
- 4) Statutory Authority: Implementing and authorized by Section 13-712 of the Public Utilities Act [220 ILCS 5/13-712]
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking will amend the definition of "emergency situation" to remove strikes or other work stoppages from automatic inclusion in the definition of "emergency situation" in determining whether a subject telecommunications carrier is liable for customer credits for violations of basic local exchange service quality standards. Each incident will be determined on a case-by-case basis.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) 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.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Comments should be filed, within 45 days after the date of this issue of the Illinois Register in Docket 02-0426, with:

Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield IL 62701
(217)782-7434

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: These amendments will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. These amendments will not affect any small municipalities or not for profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: Managerial skills
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Commission did not anticipate the need for this amendment at that time.

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIESPART 732
CUSTOMER CREDITS

Section

732.10	Definitions
732.20	Local Exchange Service Obligations
732.30	Customer Credits
732.35	ILEC–CLEC Reimbursement Mechanism
732.40	Filing of Tariffs
732.50	Customer Education
732.60	Reporting

AUTHORITY: Implementing and authorized by Section 13-712 of the Public Utilities Act [220 ILCS 5/13-712].

SOURCE: Emergency rule adopted at 25 Ill. Reg. 10219, effective August 1, 2001, for a maximum of 150 days; adopted at 26 Ill. Reg. 334, effective December 28, 2001; amended at 26 Ill. Reg. 10465; effective July 1, 2002; amended at 27 Ill. Reg. _____, effective _____.

Section 732.10 Definitions

When used in this Part, the listed terms will have the definitions given in this Section.

“Act” means the Public Utilities Act [220 ILCS 5].

"Alternative telephone service" means, except where technically impracticable, a wireless telephone capable of making local calls, and may also include, but is not limited to, call forwarding, voice mail, or paging services. [220 ILCS 5/13-712(b)(1)]

“Appointment” means an arrangement made by a telecommunications carrier to meet a customer within an agreed 4 hour window, or, until June 30, 2003, between 8 A.M. and 4 P.M. on a particular day if the carrier uses the resold services, network or network elements of another carrier to provide service to the customer, at the customer’s premises to perform work on the network.

"Basic local exchange service" means residential and business lines used for local exchange telecommunications service as defined in Section 13-204 of the Act [220 ILCS

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

5/13-204], excluding: services that employ advanced telecommunications capability as defined in section 706(c)(1) of the federal Telecommunications Act of 1996; vertical services; company official lines; and records work only. [220 ILCS 5/13-712(b)(2)]

“Basic local exchange service installation” means the installation of basic local exchange service whereby the physical connecting and diagnostic testing of a local loop results in the provisioning of dial tone to the requesting customer’s network interface device. It includes move orders and orders for additional lines.

“Commission” means the Illinois Commerce Commission.

“Customer” means any person, building owner, firm, partnership, corporation, municipality, cooperative, organization, governmental agency, etc., provided with local exchange carrier telecommunications services as defined in Section 13-204 of the Act [220 ILCS 5/13-204]. “Customer” may also be referred to as “end user”.

“Emergency situation” means a single event that causes an interruption of service or installations affecting end users of a local exchange carrier. The emergency situation shall begin with the first end user whose service is interrupted by the single event and shall end with the restoration or installation of the service of all affected end users. The term “single event” shall include:

a declaration made by the applicable State or federal governmental agency that the area served by the local exchange carrier is either a State or federal disaster area; or

an act of third parties, including acts of terrorism, vandalism, riot, civil unrest, or war, or acts of parties that are not agents, employees or contractors of the local exchange carrier, ~~or the first 90 calendar days of a strike or other work stoppage;~~
or

a severe storm, tornado, earthquake, flood or fire, including any severe storm, tornado, earthquake, flood or fire that prevents the local exchange carrier from restoring service due to impassable roads, downed power lines, or the closing off of affected areas by public safety officials.

The term “emergency situation” shall not include:

a single event caused by high temperature conditions alone; or

a single event caused, or exacerbated in scope and duration, by acts or omissions

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

of the local exchange carrier, its agents, employees or contractors or by the condition of facilities, equipment, or premises owned or operated by the local exchange carrier; or

any service interruption that occurs during a single event listed above, but are not caused by those single events; or

a single event that the local exchange carrier could have reasonably foreseen and taken precaution to prevent; provided, however, that in no event shall a local exchange carrier be required to undertake precautions that are technically infeasible or economically prohibitive.

This Part shall be construed as being content neutral as to whether a strike or other work stoppage is an “emergency situation.” In the event of a strike or other work stoppage, the local exchange carrier’s obligation to pay customer credits shall, in the absence of a decision by a court of competent jurisdiction, be determined by the Commission on a case-by-case basis based upon the individual factual circumstances of each strike or other work stoppage. In making such a determination, and notwithstanding the definition of “emergency situation” above, the Commission shall not presume that a strike or other work stoppage is an act of an employee or of the local exchange carrier.

"Link Up" means the Link Up Assistance program defined and established at 47 CFR 54.411 et seq., as amended. [220 ILCS 5/13-712(b)(3)]

“Monthly recurring charge” means monthly access/usage rate, end user common line charge, and tariffed vertical services.

“Out of service” means that, after reporting an out of service condition to the local exchange carrier, the customer still has no dial tone, cannot be called, or cannot call out. This defined term excludes call blocking or any other intentional alteration to an end user’s calling or call receiving ability.

“Repair” means the restoration of out of service conditions as well as correction of service-affecting conditions.

“Telecommunications carrier” or “carrier” means a telecommunications carrier as that term is defined in Section 13-202 of the Act [220 ILCS 5/13-202] that is providing local exchange telecommunications service as defined in Section 13-204 of the Act.

(Source: Amended at 27 Ill. Reg _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Minimum Clearances Applicable to Tracks, Structures, Fixtures and Other Appurtenances of Railroads
- 2) Code Citation: 92 Ill. Adm. Code 1500
- 3) Section Numbers:

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1500.10	amend
1500.20	amend
1500.120	amend
1500.130	amend
1500.140	amend
1500.150	amend
1500.160	amend
1500.170	amend
1500.180	amend
1500.200	amend
1500.210	amend
1500.220	amend
1500.230	amend
1500.260	amend
1500.270	amend
1500.310	amend
1500.810	amend
1500.820	repeal
- 4) Statutory Authority: Implementing Section 18c-7401 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401 and 1202(9)].
- 5) A Complete Description of the Subjects and Issues Involved: These changes are being proposed to eliminate discrepancies between the rules and statute with regard to vertical clearances and to correct typographical errors.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date: No
- 8) Does this proposed amendment contain incorporations by reference?

Yes. Section 1500.310 incorporates the provisions of 83 Ill. Adm. Code 305

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be submitted to:

Diana Collins
Illinois Commerce Commission
160 N. LaSalle
Chicago, IL 60601
312/814-1934

Comments should be filed with within 45 days of the date of this issue of the Illinois Register.

- 12) Initial Regulatory Flexibility Analysis:
- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 18, 2003
- B) Types of small businesses affected: This amendment will affect those railroad companies that are also small businesses as defined in the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized:

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: RAIL CARRIERS

PART 1500

MINIMUM CLEARANCES APPLICABLE TO TRACKS, STRUCTURES, FIXTURES AND
OTHER APPURTENANCES OF RAILROADS

SUBPART A: GENERAL RULES

Section	
1500.10	Scope
1500.20	General Requirements

SUBPART B: TRACK CENTERS

Section	
1500.110	Main Tracks
1500.120	Tracks Adjacent to Main Tracks
1500.130	Subsidiary Passenger Tracks
1500.140	Subsidiary Freight Tracks
1500.150	Ladder Tracks

SUBPART C: STRUCTURAL CLEARANCES

Section	
1500.160	Bridges
1500.170	Buildings and Miscellaneous Structures
1500.180	Awnings and Canopies
1500.190	Overhead Loading Platforms
1500.200	High Freight Platforms
1500.210	High Passenger Platforms
1500.220	Low Passenger Platforms
1500.230	Switch Stands
1500.240	Low Switch Stand Dwarf Signals, Signal Apparatus, etc.
1500.250	Pen Stocks and Water Tanks (Repealed)
1500.260	Semaphore Signals
1500.270	Poles, Posts and Signs
1500.280	Fences
1500.290	Mail Cranes (Repealed)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1500.300 Building Materials or Supplies
- 1500.310 Overhead Wire Crossings

SUBPART D: ELECTRIC INTERURBAN RAILROADS: TRACK CENTERS

Section

- 1500.410 Main Tracks (Repealed)
- 1500.420 Tracks Adjacent to Main Tracks (Repealed)
- 1500.430 Subsidiary Passenger Tracks (Repealed)
- 1500.440 Subsidiary Freight Tracks (Repealed)
- 1500.450 Ladder Tracks (Repealed)

SUBPART E: ELECTRIC INTERURBAN RAILROADS: STRUCTURAL CLEARANCES

Section

- 1500.460 Bridges (Repealed)
- 1500.470 Buildings and Miscellaneous Structures (Repealed)
- 1500.480 Awnings and Canopies (Repealed)
- 1500.490 Overhead Loading Platforms (Repealed)
- 1500.500 High Freight Platforms (Repealed)
- 1500.510 High Passenger Platforms (Repealed)
- 1500.520 Low Passenger Platforms (Repealed)
- 1500.530 Switch Stands (Repealed)
- 1500.540 Low Switch Stands, Dwarf Signals, Signal Apparatus, etc. (Repealed)
- 1500.550 Pen Stocks and Water Tanks (Repealed)
- 1500.560 Semaphore Signals (Repealed)
- 1500.570 Poles, Posts and Signs (Repealed)
- 1500.580 Fences (Repealed)
- 1500.590 Mail Cranes (Repealed)
- 1500.600 Building Materials or Supplies (Repealed)
- 1500.610 Overhead Wire Crossings (Repealed)

SUBPART F: STREET RAILROADS

Section

- 1500.700 General (Repealed)
- 1500.710 Track Centers (Repealed)
- 1500.720 Bridges (Repealed)
- 1500.730 Buildings and Miscellaneous Structures (Repealed)
- 1500.740 Poles (Repealed)
- 1500.750 Switch Stands, Signal Apparatus, etc. (Repealed)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1500.760 Building Materials and Supplies (Repealed)
1500.770 Overhead Wire Crossings (Repealed)

SUBPART G: CLEARANCE PROCEDURE

Section

- 1500.810 Authorization to Construct and Operate
1500.820 Form of Application ([Repealed](#))
1500.830 Approval of Application (Repealed)
1500.840 Hearings (Repealed)

AUTHORITY: Implementing Section 18c-7401 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401 and 18c-1202(9)].

SOURCE: Adopted October 14, 1920, amended May 14, 1969; codified at 8 Ill. Reg. 13672; Part recodified at 10 Ill. Reg. 18001; amended at 11 Ill. Reg. 16489, effective October 1, 1987; amended at 27 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL RULES

Section 1500.10 Scope

- a) This Part prescribes minimum track centers, and minimum horizontal and vertical clearances applicable to tracks, structures, fixtures, and other appurtenances of "railroads." THE TERM "RAILROAD" MEANS TRACK AND ASSOCIATED STRUCTURES, INCLUDING BRIDGES, TUNNELS, SWITCHES, SPURS, TERMINALS AND OTHER FACILITIES, AND EQUIPMENT, INCLUDING ENGINES, FREIGHT CARS, PASSENGER CARS, CABOOSES, AND OTHER EQUIPMENT, USED IN THE TRANSPORTATION OF PROPERTY OR PASSENGERS BY RAIL (~~Ill. Rev. Stat. 1985, ch. 95-1/2, par. 18c-1104(29)~~) [\[625 ILCS 5/18c-1104 \(31\)\]](#)
- b) This Part applies to all new construction and to the reconstruction of "railroads" carried on after the date on which this Part becomes effective.
- c) Nothing herein contained prohibits any "railroad" from constructing its tracks, bridges, buildings and other structures with clearances greater than required by this Part. Where conditions apparently make it impracticable to comply with this Part, application for permission to maintain reduced clearances shall be made to the Illinois Commerce Commission ("Commission") ~~in accordance with the directions given under Section 1500.820.~~

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- d) Unless otherwise stated all horizontal distances are measured at right angles to the vertical plane passing through the ~~center-line~~ centerline of the track.
- e) For highway bridges spanning railroad tracks, Railroad-Highway Bridge Clearance refers to the vertical clearance between the top of rail of a track and the lowest point of the structural members that carry a highway bridge over a railroad track.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.20 General Requirements

- a) Compensation for Curvature. The horizontal clearances herein prescribed are for tangent tracks. For curved tracks compensation shall be made so that the equivalent to the minimum clearances herein prescribed shall be maintained.
- b) Compensation for Superelevation. The vertical and horizontal clearances herein prescribed are for tracks where the tops of the rails are at the same level. Where one rail is elevated above the other, compensation shall be made so that the minimum vertical and horizontal clearances herein prescribed shall be maintained, the vertical clearances being taken from the top of the higher rail and the horizontal clearances being measured from the closest point in a line passing through the ~~center-line~~ centerline of the track and perpendicular to the face of the ties in the track.
- c) Warning Signs Required. At all overhead freight loading platforms, awnings, canopies, coal chutes, ore tipples, entrances to warehouses, shop buildings and similar structures, where the vertical clearance is less than twenty-one (21) feet six (6) inches, and at all high freight-loading platforms where the horizontal clearance is less than eight (8) feet, warning signs shall be erected as a caution to employees.
- d) Location and Lettering of Warning Signs. Warning signs for use at places having reduced clearances shall be of suitable size and placed in conspicuous positions with black letters upon a white background. At the top of the sign shall be placed the word "WARNING" with the letters not less than three (3) inches in height. All other letters upon the sign shall be not less than one and one-half (1 1/2) inches in height. Unless other words may more appropriately convey proper warning, remaining words on sign shall be "No clearance for a person on the side (or top) of car." The foregoing words will require a sign fifteen (15) inches by twenty (20) inches in size.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- e) Printed Rules. In all cases where clearances require warning signs as provided in subsection (c) above, a printed rule shall be issued by the railroad company prohibiting its employees from occupying the tops or sides (as the case may require) of cars while in motion.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART B: TRACK CENTERS

Section 1500.120 Tracks Adjacent to Main Tracks

- a) Except as to ladder tracks, the distance from the ~~center line~~ centerline of any main track to the ~~center line~~ centerline of any adjacent subsidiary track shall be not less than fifteen (15) feet.
- b) The distance from the ~~center line~~ centerline of any main track to the ~~center line~~ centerline of any adjacent ladder track in which switches are operated mechanically, shall be not less than fifteen (15) feet; in ladder tracks where switches are not operated mechanically, seventeen (17) feet.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.130 Subsidiary Passenger Tracks

- a) Except as to ladder tracks the distance between the ~~center line~~ centerline of any two subsidiary passenger tracks shall be not less than thirteen (13) feet.
- b) Any pair of subsidiary tracks used solely for passenger service may have centers less than thirteen (13) feet provided the ~~center line~~ centerline of any track, adjacent to either side of such pair of tracks is located not less than thirteen (13) feet ~~therefrom~~ there from.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.140 Subsidiary Freight Tracks

- a) Except as to ladder tracks the distance between the ~~center lines~~ centerlines of any two subsidiary freight tracks shall be not less than thirteen (13) feet six (6) inches.
- b) Team Tracks. Any two adjacent tracks, commonly known as a pair of team tracks, with a driveway on one side thereof, may have track centers less than

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

thirteen (13) feet six (6) inches. If a third track is constructed adjacent to such pair of tracks its track center must be not less than thirteen (13) feet six (6) inches from the ~~center line~~ centerline of the nearest track.

- c) Track System with High Platform Adjacent Thereto. Any system of three or more tracks at freight houses, warehouses, wharves, or similar structures, used exclusively for handling freight to or from high platforms located on one or both sides thereof may have its track centers less than thirteen (13) feet six (6) inches, provided that a least two tracks in any such system shall have centers not less than this distance. Where such system is composed of two tracks only, their ~~center lines~~ centerlines shall not be less than thirteen (13) feet six (6) inches apart.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.150 Ladder Tracks

- a) The distance from the ~~center line- centerline~~ of any subsidiary track to the ~~center line- centerline~~ of any adjacent ladder track where the switches are operated mechanically, shall not be less than fifteen (15) feet; where the switches are not operated mechanically, not less than seventeen (17) feet.
- b) The distance between the ~~center lines- centerlines~~ of two adjacent parallel ladder tracks where the switches in both are operated mechanically, shall be not less than seventeen (17) feet; where the switches in either or both are not operated mechanically, not less than nineteen (19) feet.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART C: STRUCTURAL CLEARANCES

Section 1500.160 Bridges

- a) Railroad Bridges Supporting Main Tracks or Subsidiary Freight Tracks. The clearances of all railroad bridges supporting main tracks or subsidiary freight tracks shall be as follows: Beginning at a point in the ~~center line- centerline~~ of track twenty-one (21) feet three (3) inches above the top of rail; thence horizontally four (4) feet two (2) inches; thence downward at an angle to a point fifteen (15) feet above the top of rail and eight (8) feet laterally distant from the ~~center line- centerline~~ of track; thence downward to a point four (4) feet above the top of rail and eight (8) feet laterally distant from the ~~center line- centerline~~ of track; thence downward on an angle to a point level with the base of rail and five

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

(5) feet laterally distant from the ~~center-line~~ centerline of track.

- b) Railroad Bridges Spanning Main Tracks or Subsidiary Freight Tracks. The clearances of all railroad bridges spanning main tracks or subsidiary freight tracks shall be as follows: Beginning at a point in the center line of track twenty-one (21) feet six (6) inches above the top of rail the vertical clearance line shall extend thence horizontally each way to points eight (8) feet from the ~~center-line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
- c) Highway Bridges Spanning Railroad Tracks. A vertical clearance of not less than 23 feet above the top of rail shall be provided for all new and reconstructed highway bridges constructed over a railroad track. Beginning at a point in the center line of track 23 feet above the top of rail the vertical clearance line shall extend thence horizontally each way to points eight (8) feet from the centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
- d) The Commission may, by order, permit a lesser clearance if it determines that the 23 foot clearance standard cannot be justified based on engineering, operational, and economic conditions.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.170 Buildings and Miscellaneous Structures

- a) Structures Adjacent to Main Tracks. Except as otherwise specified the clearances between main tracks and buildings or other structures adjacent thereto shall be as follows: Beginning at a point in the ~~center-line~~ centerline of track twenty-one (21) feet six (6) inches above the top of rail the vertical clearance line shall extend thence horizontally each way to points eight (8) feet from the ~~center-line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
- b) Structures Adjacent to Subsidiary Passenger Tracks. Except as otherwise specified the clearances between subsidiary passenger tracks and buildings or other structures adjacent thereto shall be as follows:
- 1) Tracks outside of buildings: Beginning at a point in the ~~center-line~~ centerline of track twenty-one (21) feet six (6) inches above top of rail, the vertical clearance line shall extend thence horizontally each way to points

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

seven (7) feet six (6) inches from the ~~center-line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of the rail.

- 2) Tracks entering buildings: Beginning at a point in the ~~center-line~~ centerline of track at such a height as will be most practicable for the height of cars handled on such tracks the vertical clearance line shall extend thence horizontally each way to points seven (7) feet from the ~~center-line~~ centerline of track from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
- c) Structures Adjacent to Subsidiary Freight Tracks. Except as otherwise specified the clearances between subsidiary freight tracks and buildings or other structures adjacent thereto shall be as follows:
- 1) Tracks outside of buildings: Beginning at a point in the ~~center-line~~ centerline of track twenty-one (21) feet six (6) inches above the top of rail the vertical clearance line shall extend thence horizontally each way to points eight (8) feet from the ~~center-line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
 - 2) Tracks entering buildings such as warehouses, freight houses, coal chutes, elevators and similar structures: Beginning at a point in the ~~center-line~~ centerline of track at such a height as will be most practicable for cars handled on such tracks the vertical clearance line shall extend thence horizontally each way to points seven (7) feet from the ~~center-line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
- d) Engine Houses. The clearances at the entrances of new engine houses when the engine house doors are open shall be as follows: Beginning at a point in the ~~center-line~~ centerline of track at such a height as will be most practicable for the height of engines using the engine house, the vertical clearance line so established shall extend horizontally each way until it intersects the horizontal clearance lines established six (6) feet nine (9) inches laterally distant from the ~~center-line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
- e) Coal Tipples, Ore Tipples, Stone Crusher, etc. The clearances of all subsidiary tracks passing through or underneath coal tipples, ore tipples, stone crushers or

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

similar overhead structures shall be as follows: Beginning at a point in the ~~center line~~ centerline of track at such height as will be most practicable for the height of equipment handled on such tracks, the vertical clearance line shall extend thence horizontally each way to points eight (8) feet from the ~~center line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.180 Awnings and Canopies

- a) Awnings and Canopies at Main Tracks. Awnings and canopies spanning main tracks or supported at the sides of main tracks shall have clearances as follows: Beginning at a point in the ~~center line~~ centerline of track twenty-one (21) feet six (6) inches above the top of rail; the vertical clearance line shall extend thence horizontally each way to points eight (8) feet from the ~~center line~~ centerline of track, from which points the horizontal clearance lines shall extend vertically downward to points level with the base of rail.
- b) Awnings and Canopies at Subsidiary Passenger Tracks. Awnings and canopies spanning subsidiary passenger tracks or supported at the sides of such tracks, shall have clearances as follows: Beginning at a point in the ~~center line~~ centerline of track at such a height above the top of rail as will be most practicable for the height of cars handled on such tracks, the vertical clearance line shall extend thence horizontally each way to points seven (7) feet six (6) inches from the ~~center line~~ centerline of track, from which points the horizontal clearance line shall extend vertically downward to points level with the base of rail.
- c) Awnings and Canopies at Subsidiary Freight Tracks.
 - 1) Except as otherwise specified awnings and canopies spanning subsidiary freight tracks or supported at the sides of such tracks shall have clearances as follows: Beginning at a point in the ~~center line~~ centerline of track twenty-one (21) feet six (6) inches above the top of rail; thence horizontally four (4) feet to a point, thence diagonally to a point fifteen (15) feet above the top of rail and eight (8) feet laterally distant from the ~~center line~~ centerline of track; thence vertically downward to a point level with the base of rail.
 - 2) Awnings and canopies at freight houses and freight loading platforms may be constructed with vertical clearances of not less than fifteen (15) feet

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

provided the edges of such awnings or canopies do not extend closer than five (5) feet six (6) inches to the center line of track.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.200 High Freight Platforms

The distance from the ~~center lines~~ centerlines of subsidiary tracks to the faces or edges of high platforms from which freight is handled to or from cars shall not exceed six (6) feet two (2) inches. The minimum horizontal clearance in the area above the floor of such platforms shall be twenty-eight (28) inches greater than the distance from the ~~center line~~ centerline of the subsidiary track to the face or edge of the platform. This Section shall not apply when the faces or edges of the platforms have horizontal clearances of eight (8) feet or more from the ~~center lines~~ centerlines of the tracks.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.210 High Passenger Platforms

Platforms approximately level with passenger car floors may be constructed and maintained with faces less than eight (8) feet from the ~~center line~~ centerline of a subsidiary track used solely for passenger service, provided the coaches served by such platforms are equipped with platform gates which are kept closed while the train is in motion.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.220 Low Passenger Platforms

Passenger platforms not higher than eight (8) inches above the top of rail may be constructed and maintained with faces not less than five (5) feet one (1) inch from the ~~center line~~ centerline of an adjacent track. Passenger platforms less than four (4) inches above the top of rail may be constructed and maintained with faces not less than four (4) feet six (6) inches from the ~~center line~~ centerline of an adjacent track.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.230 Switch Stands

- a) Main Tracks. Main track switch stands exceeding two (2) feet ten (10) inches in height and not exceeding four (4) feet in height shall have horizontal clearances of not less than eight (8) feet from the ~~center line~~ centerline of an adjacent track to

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

the nearest part of the switch stand above the base of rail; and not less than eight (8) feet three (3) inches when the switch stand exceeds four (4) feet in height.

- b) **Subsidiary Tracks.** Subsidiary track switch stands exceeding two (2) feet ten (10) inches in height and not exceeding four (4) feet in height shall be not less than seven (7) feet six (6) inches from the ~~center line~~ centerline of an adjacent track to the nearest part of the switch stand above the base of rail; and not less than eight (8) feet when the switch stand exceeds four (4) feet in height.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.260 Semaphore Signals

The distance from the nearest part above the top of rail of a semaphore signal post, other than a dwarf signal, to the ~~center line~~ centerline of an adjacent main track, shall be not less than eight (8) feet six (6) inches. For subsidiary tracks, this distance shall be not less than eight (8) feet.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.270 Poles, Posts and Signs

The face of all telegraph, telephone, or other poles, whistle posts, mile posts, posts for signal bridges, whipcords, crossing gates, highway crossing bells, and all other signs, signals or devices not otherwise provided for in this Part, shall be not less than nine (9) feet from the ~~center line~~ centerline of adjacent tracks. No part of any sign or appurtenance attached to such poles or posts shall be less than eight (8) feet from the ~~center line~~ centerline of an adjacent track, between the top of rail and a point fifteen (15) feet above.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.300 Building Materials or Supplies

No building materials or supplies of any kind except ballast or ties intended for immediate use shall be piled nearer to any main track or passing track than nine (9) feet from the ~~center line~~ centerline thereof; or nearer to any other track than eight (8) feet six (6) inches from the center line thereof.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.310 Overhead Wire Crossings

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

The vertical clearances of all electric or other wires crossing over railroad tracks shall conform to the requirements of ~~General Order 160 (to be codified as 83 Ill. Adm. Code 305)~~ ~~this Commission~~ [83 Illinois Administrative Code 305](#) and amendments thereto as may be in force and adopted by this Commission.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART G: CLEARANCE PROCEDURE

Section 1500.810 Authorization to Construct and Operate

- a) When Permission for Construction is Not Necessary. Except such as may be required by law or by any order of this Commission, permission will not be necessary for any railroad to construct any tracks or other appurtenances or to operate on such tracks provided the track centers and clearances alongside such tracks or other appurtenances conform to this Part.
- b) When Permission for Construction is Necessary. Application ~~may~~ [shall](#) be made to this Commission for permission to construct and maintain such tracks or other appurtenances, or to operate on such tracks, where track centers and clearances will not or do not conform to this Part. The application for such permission shall be submitted by the railroad company involved, or jointly by the railroad company and the owner of the property when the track or appurtenances are upon private property. Each application must be accompanied by a plan showing the location of the proposed track or other appurtenance and the clearances which it is desired to maintain.
- c) The Commission shall consider the following in determining whether a variation shall be permitted:
 - 1) The impact, if any, on the safety of railroad employees;
 - 2) The expense to the carrier or others, if the variation is not granted; and
 - 3) Experience with similar variations at other locations. Similar variations would be situations involving like reduced clearances and like railroad operations. Lack of any problems would indicate acceptable experience.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1500.820 Form of Application ([Repealed](#))

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

~~Applications for permission to construct and maintain tracks or other appurtenances or to operate on such tracks, where track centers and clearances will not or do not conform to this Part, shall be on the Commission's Clearance Deviation Form.~~

(Source: Repealed at 27 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Registration of Rail Carriers
- 2) Code Citation: 92 Ill. Adm. Code 1501
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1501.10	amend
1501.20	repeal
1501.30	repeal
- 4) Statutory Authority: Implementing Section 18c-7201 and authorized by Section 18c-2102(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7201 and 2102(9)].
- 5) A Complete Description of the Subjects and Issues Involved: These changes are being proposed to consolidate the requirements of this Part into a single Section.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be submitted to:

Diana Collins
Illinois Commerce Commission
160 N. LaSalle
Chicago, IL 60601
312/814-1934

Comments should be filed with within 45 days of the date of this issue of the Illinois Register.

- 12) Initial Regulatory Flexibility Analysis:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 18, 2003
 - B) Types of small businesses affected: This amendment will affect railroad companies which are also small businesses as defined in the Illinois Administrative Procedure Act.
 - C) Reporting, bookkeeping or other procedures required for compliance: None
 - D) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized:

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: RAIL CARRIERSPART 1501
REGISTRATION OF RAIL CARRIERS

Section

1501.10 Registration Procedure

1501.20 Contents of Registration ([Repealed](#))1501.30 Notice of Change ([Repealed](#))

AUTHORITY: Implementing Section 18c-7201 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7201 and 18c-1202(9)].

SOURCE: Adopted at 11 Ill. Reg. 15882, effective October 1, 1987; amended at 27 Ill. Reg. _____, effective _____.

Section 1501.10 Registration Procedure

A rail carrier shall register with the Illinois Commerce Commission ("Commission") by filing a letter, signed by an owner, partner, or officer of the rail carrier, containing the information set forth ~~in Section 1501.20~~ [as follows](#):

- a) [The full, legal name of the rail carrier;](#)
- b) [The mailing address, telephone number and facsimile of the rail carrier;](#)
- c) [The name of the rail carrier's chief executive officer;](#)
- d) [The name, address and facsimile number in Illinois of the rail carrier's agent for service of process.](#)

[A rail carrier must notify the Commission of any change in the information listed above within 15 days of the change.](#)

Section 1501.20 Contents of Registration ([Repealed](#))

~~A completed letter of registration must set forth:~~

- ~~a) The full, legal name of the rail carrier;~~

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- b) ~~The mailing address and telephone number of the rail carrier;~~
- e) ~~The name of the rail carrier's chief executive officer;~~
- d) ~~The name and address in Illinois of the rail carrier's agent for service of process.~~

(Source: Repealed at 27 Ill. Reg. ____, effective _____)

Section 1501.30 Notice of Change [\(Repealed\)](#)

~~A rail carrier must notify the Commission of any change in the information listed in Section 1501.20 within 15 days of the change.~~

(Source: Repealed at 27 Ill. Reg. ____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Report of Railroad Accidents/Incidents
- 2) Code Citation: 92 Ill. Adm. Code 1515
- 3) Section Numbers:

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1515.10	amend
1515.30	amend
1515.70	add
- 4) Statutory Authority: Implementing Section 18c-7402(3) and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401 and 1202(9)].
- 5) A Complete Description of the Subjects and Issues Involved: These changes are being proposed to clarify railroad reporting requirements with regard to fatalities and injuries, and to establish a penalty for noncompliance.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date: No
- 8) Does this proposed amendment contain incorporations by reference?
 Yes. Section 1515.10 incorporates the provisions of 49 CFR 225 and 234, and Section 1515.30 incorporates the provisions of 49 CFR 171 and 172.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be submitted to:

Diana Collins
 Illinois Commerce Commission
 160 N. LaSalle
 Chicago, IL 60601
 312/814-1934

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Comments should be filed with within 45 days of the date of this issue of the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 18, 2003
- B) Types of small businesses affected: This amendment will affect those railroad companies that are also small businesses as defined in the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized:

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: RAIL CARRIERSPART 1515
REPORT OF RAILROAD ACCIDENTS/INCIDENTS

Section

- 1515.10 Monthly Reports
1515.20 Information Required by the Illinois Commerce Commission (Repealed)
1515.30 Telephonic Reports
1515.40 Adoption of Rules (Repealed)
1515.50 Submission of Monthly Reports (Repealed)
1515.60 Immediate Reports (Repealed)
[1515.70 Penalties for Noncompliance](#)

AUTHORITY: Implementing Section 18c-7402(3) and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (~~Ill. Rev. Stat. 1985, ch. 95½ pars. [625 ILCS 5/18c-7402(3) and 18c-1202]~~).

SOURCE: Amended August 25, 1976; codified at 8 Ill. Reg. 18466; Part recodified at 10 Ill. Reg. 18009; amended at 11 Ill. Reg. 15885, effective October 1, 1987; amended at 27 Ill. Reg. _____, effective _____.

Section 1515.10 Monthly Reports

- a) The Illinois Commerce Commission adopts 49 CFR 225 [and 234](#), as of ~~December 1, 1986~~ [October 1, 2001](#), as its regulation governing monthly reporting of railroad accidents and incidents. No incorporation in this Part includes any later amendment or edition.
- b) Copies of reports submitted to the Federal Railroad Administration shall be concurrently submitted to the [Illinois Commerce Commission Transportation Division Railroad Section](#).

(Source: Section amended at 27 Ill. Reg. _____, effective _____)

Section 1515.30 Telephonic Reports

- a) ~~The Commission also requires immediate telephone notification of certain types of accidents/incidents.~~

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- ~~be~~) The following classes of accidents/incidents occurring within the State of Illinois ~~should~~ shall be reported immediately to the Illinois Commerce Commission by calling the Illinois Emergency Management Agency (IEMA) 24-hour Response Communications Center 217-782-4971 day or night:
- 1) All accidents/incidents in which an injury or a fatality occurs;
 - 2) All highway/rail grade crossing collisions/accidents/incidents;
 - 3) All activation failures of highway/rail grade crossing signal systems;
 - ~~2~~ 4) All collisions occurring on main tracks classified by the Federal Railroad Administration as accidents/incidents;
 - ~~3~~ 5) All derailments occurring on main tracks classified by the Federal Railroad Administration as accidents/incidents;
 - ~~4~~ 6) All derailments, collisions, accidents or any incidents involving the exposure of hazardous materials as prescribed in 49 CFR 171 and 172 and defined in 49 CFR 171.8 as of ~~December 1, 1986~~ October 1, 2001. The incorporated material does not include any later amendments or additions.
 - 5) ~~All accidents at rail/highway grade crossings involving rail equipment carrying passengers and all accidents at rail/highway grade crossings involving any type of rail equipment and buses transporting passengers.~~
- ~~eb~~) In the case of collisions/accidents/incidents involving joint operations, the telephone notification shall be made by the each railroad ~~that controls the track and directs the movement of trains where the accident occurred.~~
- ~~de~~) When making such telephone reports, the following information shall be provided:
- 1) name and title of person reporting,
 - 2) name of railroad,
 - 3) date, time and location of incident,
 - 4) description and nature of incident,
 - 5) persons killed or injured indicating if employee, passenger or other,
 - 6) identification and location of any hazardous material involved.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 7) [AAR/DOT Inventory Number and railroad milepost of highway/rail grade crossing where signal activation failure occurred.](#)

(Source: Amended at 27 Ill. Reg. _____, effective _____)

[Section 1515.70 Penalties for Noncompliance](#)

[Failure to submit reports as required by this Part shall result in violations and sanctions as prescribed in 625 ILCS 5/18c-1701 and 1704.](#)

(Source: Added at 27 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Crossings of Rail Carriers and Highways
- 2) Code Citation: 92 Ill. Adm. Code 1535
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1535.30	amend
1535.100	amend
1535.201	amend
1535.207	amend
1535.300	amend
1535.335	amend
1535.342	amend
1535.344	amend
1535.345	amend
1535.360	amend
1535.365	amend
1535.400	amend
1535.603	amend
1535.604	amend
1535.701	amend
- 4) Statutory Authority: Implementing Section 18c-7401 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401 and 1202(9)].
- 5) A Complete Description of the Subjects and Issues Involved: These changes are being proposed to clarify definitions, eliminate discrepancies between the Sections with regard to highway approach grades, and to update references to AREMA standards, and to correct typographical errors.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date: No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 10) Statement of Statewide Policy Objectives: This proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be submitted to:

Diana Collins
Illinois Commerce Commission
160 N. LaSalle
Chicago, IL 60601
312/814-1934

Comments should be filed with within 45 days of the date of this issue of the Illinois Register.

- 12) Initial Regulatory Flexibility Analysis:
- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 18, 2003
 - B) Types of small businesses affected: This amendment will affect those railroad companies that are also small businesses as defined in the Illinois Administrative Procedure Act.
 - C) Reporting, bookkeeping or other procedures required for compliance: None
 - D) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized:

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: RAIL CARRIERSPART 1535
CROSSINGS OF RAIL CARRIERS AND HIGHWAYS

SUBPART A: SCOPE AND APPLICATION

Section	
1535.10	General Order
1535.20	Part Not Retroactive
1535.30	Requirements for Maintenance of Grade Crossings
1535.40	Requirements for Marking and Warning Devices at Grade Crossings
1535.50	Requirements for Establishment and Construction of Grade Crossings
1535.60	Permission to Install Other Equipment or Devices

SUBPART B: DEFINITIONS

Section	
1535.100	Definitions

SUBPART C: ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF GRADE
CROSSINGS

Section	
1535.201	Application for Permission to Extend a Street or Highway
1535.202	General Plan or Plot
1535.203	Construction and Maintenance of Grade Crossing
1535.204	Grade Line of Highway Approaches
1535.205	Right-of-Way to Be Kept Clear
1535.206	Crossings and Approaches
1535.207	Adjustment of Crossings and Approaches
1535.208	Maintenance, Operation and Renewal of Signs, Signals, and Other Warning Devices
1535.209	Poles, Structures or Other Objects in Right-of-Way
1535.210	Erection and Maintenance of Other Signs
1535.211	Provisions of Law (Repealed)

SUBPART D: MARKING AND WARNING DEVICES AT GRADE CROSSINGS

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Section

1535.300	Crossbuck Signs
1535.310	Advance Warning Signs and Pavement Markings
1535.320	Floodlights as Warning Devices
1535.330	Watchman Warning
1535.333	Flashing Light Signals
1535.335	Location of Signals
1535.340	Direction of Indication
1535.341	Mounting Lamp Units
1535.342	Design of Lamps, Hoods, and Backgrounds
1535.343	Warning Indication
1535.344	Lenses and Roundels
1535.345	Signs on Flashing Light Signals
1535.346	Bells on Flashing Light Signals
1535.347	Painting
1535.348	Power Source
1535.349	Manual Operation
1535.350	Circuits
1535.360	Gates
1535.365	Automatic Gates

SUBPART E: CHANGES IN EXISTING CROSSING
MARKING OR WARNING DEVICES

Section

1535.400	Procedure Before Commission
----------	-----------------------------

SUBPART F: OPERATION OF RAILROAD TRAINS AND CARS OVER GRADE
CROSSINGS

Section

1535.501	Sounding of Bell, Whistle or Horn (Repealed)
1535.502	Other Warning
1535.503	Approaching Grade Crossings Prepared to Stop
1535.504	Crew Member to Give Warning at Crossing

SUBPART G: SUBWAYS AND VIADUCTS

Section

1535.601	Order of Commission to Construct Subway or Viaduct
1535.602	Petitioner For Permission

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1535.603	Plans Considered Separately
1535.604	Hazard Markers
1535.605	Mounting of Hazard Markers
1535.606	Clearance Signs

SUBPART H: BARRICADES

Section

1535.701 Construction of Barricades

1535. APPENDIX A Forms

ILLUSTRATION A	Form 1 (Repealed)
ILLUSTRATION B	Form 2 (Repealed)
ILLUSTRATION C	Form 3 (Repealed)

1535. APPENDIX B Drawings

ILLUSTRATION A	Reflectorized Crossbuck Signs (50 degrees)
ILLUSTRATION B	Reflectorized Crossbuck Signs (90 degrees)
ILLUSTRATION C	Advance Warning Sign
ILLUSTRATION D	Reflectorized "Watchman Off Duty" Sign
ILLUSTRATION E	Flashing Light Signal for Highway Crossings
ILLUSTRATION F	Flashing Light Signal with Cantilever Mounted Auxiliary Lights
ILLUSTRATION G	"No Right Turn" or "No Left Turn" Signal
ILLUSTRATION H	Reflectorized "Gates Not Working" Sign

AUTHORITY: Implementing Section 18c-7401 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (~~Ill. Rev. Stat. 1985, ch. 95½, pars. 625 ILCS 5/18c-7401 and 18c-1202~~).

SOURCE: Filed and effective August 22, 1973; codified at 8 Ill. Reg. 8906; Part recodified at 10 Ill. Reg. 17994; amended at 11 Ill. Reg. 19027, effective November 15, 1987; amended at 15 Ill. Reg. 10920, effective July 10, 1991; amended at 27 Ill. Reg. _____, effective _____.

SUBPART A: SCOPE AND APPLICATION

Section 1535.30 Requirements for Maintenance of Grade Crossings

The requirements with reference to maintenance of grade crossings as set forth in Section 1535.205 through 1535.~~211~~ 210, inclusive, apply both to crossings now in existence and those which may hereafter be established.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART B: DEFINITIONS

Section 1535.100 Definitions

"Advance warning sign" means a fixed sign, located at a distance from a grade crossing and intended to warn drivers of vehicles of the presence of the crossing before the vehicle reaches the crossing.

["AREMA" means American Railway Engineering and Maintenance-of-Way Association.](#)

"Automatic gates" means gates which are designed to move into the obstructing position automatically upon the approach of a train or trains, and to move into the clear position when the train or trains have cleared the crossing and are generally used in conjunction with "flashing light signals" as defined in this Section.

"City" means all incorporated cities, villages and towns.

"Clearance signs" means the signs posted at a subway to indicate the maximum height of vehicles which may safely pass beneath the grade separation structure.

"Crossbuck sign" means a sign consisting essentially of two boards or blades, crossing each other in the general form of the letter X, and designed to be mounted upon a post or upon the mast of an automatic signal. The word "RAILROAD" is inscribed upon the board or blade extending from the upper left to the lower right portion of the sign as viewed by a person facing the crossing, and the word "CROSSING" is inscribed upon the board or blade extending from the lower left to the upper right portion of the sign.

"Crossing" means any place where a public street or highway and a railroad cross either at grade or by separation of grades. It may also apply to locations where a railroad running longitudinally in a street is crossed by a roadway or sidewalk.

"Crossing proper" means that portion of the grade crossing over the crosstie area.

["Crosstie" means a transverse beam that connects and supports the rails of a railroad.](#)

"Department" means the Illinois Department of Transportation.

"Flashing light signal" means a signaling device consisting essentially of two red lamps mounted horizontally about 2 feet 6 inches between centers and which flash alternately to

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

indicate the approach of a train. Such signals usually are designed to operate automatically upon the approach of a train but sometimes are so arranged as to start and cease operation by a manual controlling device.

"Gates" means a barrier which employs arms so arranged as to be moved into a position wholly or partly to obstruct a street. "Gates" provide a definite obstruction to street traffic but are not designed positively to stop moving vehicles.

"Grade crossing" means any crossing where the street or highway and the railroad are at the same elevation.

"Hazard marker" means a fixed sign consisting of a vertical rectangle, size 1 foot by 3 feet having alternating black and reflectorized yellow or white stripes 3 inches in width sloping down at an angle of 45 degrees toward the side of the obstruction on which traffic is to pass, or should conditions dictate other type of marker, one of those described in the current edition of Illinois Manual ~~of~~ [on](#) Uniform Traffic Control Devices (~~92 Ill. Adm. Code 546~~).

"Highway" means the same as "street".

"Law" means the Illinois Commercial Transportation Law (~~Ill. Rev. Stat. 1985, ch. 95½, par. 18c-1101, et seq. as amended by P.A. 84-1311, effective August 27, 1986~~) [625 ILCS 5/18c-1101 et seq.].

"Rail carrier" means the same as the definition in Section 18c-1104 of the Law (~~Ill. Rev. Stat. 1986 Supp., ch. 95½, par. 18c-1104~~) [[625 ILCS 5/18c-1104](#)].

"Railroad" means the same as the definition in Section 18c-1104 of the Law (~~Ill. Rev. Stat. 1986 Supp., ch. 95½, par. 18c-1104~~) [[625 ILCS 5/18c-1104](#)].

"Railroad train" means any locomotive with or without cars coupled to it, operating upon a railroad. This term, however, is not applied to handcars, speeders, motor cars, hi-rail cars or self-propelled work equipment operated for maintenance or other railroad purposes and not used for the transportation of persons or property for hire.

"Reflector button" means a unit consisting essentially of a glass lens and a reflecting mirror or a plastic lens so designed as to reflect the rays of light from headlights of vehicles. The reflecting mirror may be a separate mirror or consist of reflecting material deposited directly upon the surface of the lens.

"Reflector type" or "reflectorized," when applied to any sign, means that either the letters

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

or some outstanding feature of the sign is marked by reflector buttons, or by other suitable reflecting devices or materials, in such manner as to be illuminated and made visible by headlights of vehicles.

"Roadway" means that portion of a street or highway improved, designed, or ordinarily used for vehicular travel.

"Shoulder" means that portion of a highway between the edge of the pavement and the curb line where there is a sidewalk, or, where there is no sidewalk, between the edge of the pavement and the outer edge of the surface graded for possible vehicular use.

"Sidewalk" means that portion of a street, between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

"Street" means the entire width between property lines of every way or place of whatever nature when any part is open to the use of the public as a matter of right for purposes of vehicular traffic.

"Subway" means a crossing where the street or highway passes underneath the railroad.

"Viaduct" means a crossing where the street or highway passes above the railroad.

"Watchman" means any person stationed at a crossing whose duty it is to give warning to persons upon a street when any on-track movement is approaching.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART C: ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF GRADE
CROSSINGS

Section 1535.201 Application for Permission to Extend a Street or Highway

Where application is made to this Commission for permission to extend a street or highway at grade across a ~~rail carrier~~ railroad track or to extend a railroad track across a street or highway at grade as contemplated in Section 18c-7401 of the Law (~~Ill. Rev. Stat. 1985, ch. 95½, par. 18c-7401~~) [625 ILCS 5/18c-7401] the petitioner shall be the interested rail carrier or a public body having jurisdiction over the highway involved.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.207 Adjustment of Crossings and Approaches

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- a) Where tracks are raised through a highway crossing at the rail carrier's ~~instance~~ initiative and the existing approach grade(s) to said crossing conformed to the requirements of Section 1535.204 prior to said track raise, the rail carrier shall, at its own expense, resurface or arrange for the resurfacing of the highway approaches to meet the elevation of the raised crossing surface, so that the change in grade complies with the requirements of Section 1535.204 ~~does not exceed 1% greater than the pre-existing grade on primary highways with a maximum authorized speed in excess of 30 miles per hour, or 2% greater than the pre-existing grade on all other highways with a maximum authorized speed of 30 miles per hour or less~~. Where more than one track crosses a highway with 15 feet or less between the centerline of one track and the centerline of an adjacent track, the rail carrier shall adjust all tracks so that they conform with the requirements of Section 1535.203.
- b) Where tracks are raised through a highway crossing at the rail carrier's ~~instance~~ initiative, and the approach grade(s) to such crossing did not conform to the requirements of Section 1535.204 prior to said track raise, and it is necessary for the rail carrier to maintain or reconstruct the grade crossing surface, the rail carrier shall, at its own expense, be required to resurface, or arrange for the resurfacing of, the highway approaches to meet the elevation of the raised crossing surface so that the change in grade complies with the requirements of Section 1535.204 ~~the track raise increases such grades by more than 1%, it shall be the responsibility of the rail carrier to resurface, or to arrange for the resurfacing of, the highway approach(es) within a distance of 25 feet from the centerline of the outermost track, to minimize the change in grade to the extent practicable within the 25 feet~~.
- c) It shall be the responsibility of the highway authority to make arrangements with the respective rail carrier(s) for the necessary track and/or crossing adjustments where vertical and/or horizontal adjustments are made to the approach(es) of a grade crossing at the highway authority's instance (whether by reconstruction, resurfacing, or widening). The highway authority shall notify the rail carrier(s) at least two weeks in advance of the date it intends to adjust the approach(es) at a grade crossing. The rail carrier shall, at the sole cost and expense of the highway authority, adjust the track and crossing(s) to conform to Section 1535.203, and the highway authority shall, at its own expense, perform all necessary approach work to comply with Section 1535.204.
- d) The rail carrier shall notify the public authority with jurisdiction over a roadway at least two weeks in advance of the date it intends to perform any work at a

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

[crossing that will require either partial or full closure of the roadway.](#)

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART D: MARKING AND WARNING DEVICES AT GRADE CROSSINGS

Section 1535.300 Crossbuck Signs

- a) Every rail carrier shall furnish, erect and maintain at every grade crossing on its line of railroad two crossbuck signs of standard design as set forth in this Part, except at crossings where flashing light signals or other warning devices incorporating a "crossbuck" as part of their design are maintained and except at crossings within the cities where train crews or watchmen provide warnings of all movements of cars or engines thereover. At such excepted crossings, crossbuck signs may be installed and maintained at the option of the rail carrier or may be required by specific order of the Commission.
- b) Crossbuck signs shall be so located with reference to local conditions at each crossing as to provide proper visibility and in accordance with good practice. One sign shall be placed on each side of the track or tracks preferably on the right hand side of the highway as viewed by a traveler approaching the crossing. The distance from the sign to the nearest rail preferably shall be not less than 8½ feet nor more than 15 feet, and the distance from the near edge of the pavement or roadway to the sign preferably shall not be less than 6 feet nor more than 12 feet. These distances are to the center of the mast. No sign shall be permitted to be obscured materially by trees or other obstructions.
- c) The crossbuck signs referred to in Section 1535.300 (a) ~~may shall be either the 6 foot blade length type with an angle of 50 degrees between blades (Appendix B, Illustration A) or~~ the 4 foot reflectorized blade type with an angle of 90 degrees between blades (Appendix B, Illustration B) each to be equipped with reflecting material to give an indication at night in both directions along the highway except that where, for any reason, the rear indication cannot be seen on any highway approaching the crossing, such rear indication will not be required. The back of each blade shall have one or more strips of reflectorized material, the combined width of which shall not be less than 2 inches for its full visible length. The rear indication may also be obtained by placing two one way signs back to back. [A strip of reflective white material, not less than 2 inches in width, shall be used on each crossbuck support for the full length of the front and back of the support from the crossbuck sign or Number of Tracks sign to near ground level.](#) ~~On or before December 31, 1975 the crossbucks at every grade crossing in the State of~~

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

~~Illinois shall be equipped with reflectorized material in the manner set forth herein and all crossbuck signs placed thereafter shall be reflectorized.~~ The height of the crossbuck above the surface of the pavement or roadway may be varied to suit local conditions, but ordinarily shall be such as will provide a clearance of approximately 7½ feet beneath the crossbuck.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.335 Location of Signals

- a) For two directional traffic, one signal is to be located upon each side of the track or groups of tracks except that, where local conditions so require, a greater number of signals or flashing light units may be employed. The signals shall be placed on the right hand side of the highway as viewed by a traveler approaching the crossing unless local conditions require different arrangement. The distance from the signals to the railroad and to the edge of the pavement will be governed by local conditions, but in general the signals shall be located not more than 15 feet from the near rail except where a point in the centerline of the highway opposite the signal would be less than 10 feet therefrom. In general, the signals shall be located not less than 8½ feet from the nearest rail. The distance from the signals to the edge of pavement shall not be less than 6 feet or more than 12 feet except when the pavement has curb and guttering, then the signals may be located 4 feet 1 inch but not less from the face of curb. These distances are to the center of the mast.
- b) On multilane highways extending on either side of a median strip at least 8 feet 2 inches in width one additional flashing unit as shown in Figure 5 (Appendix B, Illustration E) shall be placed on each side of track or group of tracks, in such manner as to provide appropriate warning to vehicles approaching crossing in traffic lane on left side of pavement, back lights not required.
- c) Unless otherwise ordered by the Commission, on highways four or more lanes in width with no additional flashing units as set forth in Section 1535.335(b), supplemental sets of flashing light signals shall be mounted on appropriate cantilever arms (Figure 6 (Appendix B, Illustration F)) in such manner that vehicles using the outer lanes;(s) are directly in line with the signals; back lights are required.
- d) Where conditions require, special signals such as side lights, illuminated "no left turn" and "no right turn" signs (Figure 7, (Appendix B, Illustration G)) may be installed.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.342 Design of Lamps, Hoods, and Backgrounds

The design of lamp units including hoods and backgrounds shall conform with current signal specifications of ~~the Association of American Railroads~~ [AREMA](#).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.343 Warning Indication

The lights shall be arranged to flash alternately, the number of flashes per minute to conform to current ~~AAR Signal Section~~ [AREMA](#) specifications and said ~~AAR~~ [AREMA](#) specifications shall constitute the minimum requirements of this Commission with respect to range and beam intensity. Except as hereafter set forth in this Section each complete lamp unit shall give a beam 15 degrees each side of the horizontal axis. Where however, at any particular crossing, lamp units which produce such beams of less than 30 degrees total width provide adequate coverage for the street or streets protected, such lamp units may be used. The coverage for the street or streets shall be deemed to be adequate, within the meaning of the last preceding sentence, whenever all portions of the paved width, from points 800 feet from the crossing in each direction therefrom (or such lesser distances to which local conditions, such as curvature and contour of the street, may limit the effective range of the signal) to a line parallel to the railroad and 20 feet outside of the outer rail of the outer track, lie within one or more of such beams. The beams so to be considered in determining coverage shall include those produced by both the front indication and the rear indication of each signal installed at the crossing.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.344 Lenses and Roundels

Lamp units shall have lenses or roundels, red in color, at least ~~8?~~ 12 inches in diameter for both front and rear indication. Light transmission values shall conform to current ~~AAR~~ [AREMA](#) signal specifications.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.345 Signs on Flashing Light Signals

Where two or more tracks are crossed, the current standard reflector type sign prescribed by ~~the Association of American Railroads~~ [AREMA](#), or as approved by this Commission, indicating the number of tracks shall be placed upon each signal (Appendix B, Illustration E).

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.360 Gates

- a) Section 1535.335(a) relating to the location of flashing light signals shall apply in locating crossing gates whether such gates are installed in conjunction with flashing light signals or independently. In general gate arms shall extend at right angles to the highway when in lowered position.
- b) Gates hereafter installed shall conform, as to aspect and design, with current signal specifications of ~~the Association of American Railroads~~ [AREMA](#).
- c) Gates arms shall be striped diagonally in red and white and shall be kept reasonably clean so as to be readily observable.
- d) Three red lights shall be mounted upon each roadway gate arm in such manner as to give an indication in both directions along the highway at all times when gates are in the lowered position and when they are being raised and lowered. The red lights shall be of such brilliancy as to give indication to highway traffic when at a reasonable distance from the crossing. When lighted, the red light unit nearest the tip of the gate arm is to be steady burning and the other two lights shall flash alternately in unison with the flashing light signals. The three lamp units shall be operated together with the flashing light signals in such manner as to give reasonable advance warning to highway traffic of the lowering of gate arms.
- e) At crossings where part-time operation of gates is in effect the railroad company shall, at its own expense, furnish, erect and maintain on each side of the said crossing a reflector type sign conforming to Figure 8 (Appendix B, Illustration H). The said signs shall be located in the manner set forth in Section 1535.330(b).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.365 Automatic Gates

- a) In general, controls for automatic gates shall conform to current signal specifications of ~~the Association of American Railroads~~ [AREMA](#). Appropriate refinements in track circuit controls such as "speed control," "time-out" sections, presence detectors, motion detectors, and constant warning time devices to prevent unnecessary delays to highway traffic shall be provided consistent with the importance of the highway and the character and volume of rail traffic.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- b) Bell, when used, shall sound a warning from the time the signal lights start to operate at least until the gate arm has descended to within ten (10) degrees of the horizontal position.
- c) In case there is a failure of the automatic gates, the railroad company will take action, as soon as it can be done, to give warning to highway traffic until the gates are put in operable condition.
- d) For interconnection of automatic flashing light signals and gates with nearby traffic control signals procedures outlined in Section 1535.350 (c) are to be followed.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

SUBPART E: CHANGES IN EXISTING CROSSING MARKING OR WARNING DEVICES

Section 1535.603 Plans Considered Separately

The plans for each proposed subway or viaduct will be considered separately in the light of local conditions. The clearances with respect to railroad tracks will be governed by 92 Ill. Adm. Code 1500 (General Order 22) or any amendment or modification thereof that may hereafter be adopted. The current practice of the Department for subways or viaducts will be regarded as a reasonable practice. The general design requirements of ~~the American Railway Engineering Association~~ [AREMA](#) will be regarded as reasonable construction standards for structures carrying railroad traffic. It is recommended that those in charge of such projects consult with the said Department prior to the preparation of detail plans or the filing of an application with this Commission.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1535.604 Hazard Markers

Hazard markers, unless otherwise specifically ordered by this Commission, are to be furnished, installed, maintained and replaced by and at the expense of the public authority having the duty of maintaining the signs along the highway upon which such signs are located and they shall be of the reflectorized type and conform to the [Illinois](#) Manual On Uniform Traffic Control Devices (~~to be codified as 92 Ill. Adm. Code 546~~) published by the Department.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Grade Crossing Closure and Opening
- 2) Code Citation: 92 Ill. Adm. Code 1536
- 3) Section Numbers:

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1536.10	amend
1536.20	amend
- 4) Statutory Authority: Implementing Section 18c-7401 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401 and 1202(9)].
- 5) A Complete Description of the Subjects and Issues Involved: These changes are being proposed to update references.
- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date: No
- 8) Does this proposed amendment contain incorporations by reference?

Yes. Sections 1536.10 and 1536.20 incorporate the highway and street design standards adopted by the American Association of State Highway and Transportation Officials (AASHTO) in 2001.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be submitted to:

Diana Collins
 Illinois Commerce Commission
 160 N. LaSalle
 Chicago, IL 60601
 312/814-1934

Comments should be filed with within 45 days of the date of this issue of the Illinois

ILLINOIS COMMERCE COMMISSION
NOTICE OF PROPOSED AMENDMENTS

Register.

12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 18, 2003
- B) Types of small businesses affected: This amendment will affect those railroad companies that are also small businesses as defined in the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized:

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: RAIL CARRIERSPART 1536
GRADE CROSSING CLOSURE AND OPENING

Section

1536.10	Petition to Close Grade Crossing
1536.20	Criteria for Crossing Closure
1536.30	Petition to Open Grade Crossing
1536.40	Criteria for Crossing Opening

AUTHORITY: Implementing Section 18c-7401 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401 and 18c-1202].

SOURCE: Adopted at 19 Ill. Reg. 15828, effective November 8, 1995; amended at 27 Ill. Reg. _____, effective _____.

Section 1536.10 Petition to Close Grade Crossing

- a) A party may petition the Commission to close a grade crossing of a public highway with the tracks of a registered rail carrier on the grounds that public safety requires such a closure. The Commission shall, at public hearing, consider the evidence presented in the petition. Such hearing shall be conducted in accordance with the Commission's rules of practice (83 Ill. Adm. Code 200).
- b) The petition filed under subsection (a) of this section shall include the following information about the crossing:
 - 1) whether the crossing is located in an incorporated city, village or town or in an unincorporated area;
 - 2) whether the crossing is signalized (i.e., equipped with automatic flashing lights, with or without gates) or unsignalized (i.e., all other types of warning devices, including crossbuck signs), and, if signalized, when warning devices were installed or circuitry was updated;
 - 3) the average daily vehicular traffic (ADT) which traverses the crossing and posted speed limit (if speed is not posted, it shall be assumed to be 55 mph for crossings outside of incorporated cities and municipalities, or 30 mph

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

for crossings within the limits of incorporated cities and municipalities). The ADT, which must have been taken in a calendar year not more than two calendar years prior to the year of the filing of the petition, shall be obtained from the Illinois Department of Transportation (IDOT); however, if IDOT does not respond within 90 days to such a request, the petitioner may determine the ADT by performing a traffic study utilizing IDOT's current traffic monitoring practices and procedures;

- 4) the average number of freight train movements per day over the crossing, calculated by taking the total number of freight train movements which occur over the crossing during a period of 28 consecutive days and then dividing that number by 28;
- 5) the average number of passenger train movements per day over the crossing, calculated by taking the total number of passenger train movements which occur over the crossing during a period of 28 consecutive days and then dividing that number by 28;
- 6) the maximum timetable speed for freight and for passenger trains operating through the crossing;
- 7) the location of the two nearest public rail-highway crossings;
- 8) the crossing's accident history for the last 5 years;
- 9) the alignments of the roadway and railroad and the angle of intersection of those alignments, and whether visibility of trains to motorists approaching the crossing or to motorists stopped at the crossing is adequate according to [Appendix 1 Exhibit 9-104](#), "A Policy ~~of~~ [on](#) Geometric Designs of Highways and Streets", published by the American Association of State Highway and Transportation Officials (AASHTO) in ~~1990~~ [2001](#) (no later editions or amendments included);
- 10) the types of vehicular traffic that use the grade crossing (e.g., automobiles, trucks carrying hazardous materials, vehicles carrying passengers for hire, school buses, etc.); and
- 11) the location and mailing address of emergency response units having responsibility for the area where the grade crossing is located, as obtained from the county sheriff or county emergency management agency.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- c) Parties to the proceeding or Commission staff may contest the validity of the information included in the petition in accordance with subsection (b) above.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1536.20 Criteria for Crossing Closure

- a) The hearing examiner shall assign the crossing proposed for closure to one of the following categories:
- 1) Category 1: the crossing is located in an incorporated area and the crossing is signalized;
 - 2) Category 2: the crossing is located in an incorporated area and the crossing is unsignalized;
 - 3) Category 3: the crossing is located in an unincorporated area and the crossing is signalized; or
 - 4) Category 4: the crossing is located in an unincorporated area and the crossing is unsignalized.
- b) The categories listed in subsection (a) of this Section shall be differentiated by:
- 1) the crossing's ADT; and
 - 2) the crossing's Train Volume and Speed Index (TVSI), which is calculated by taking the average number of freight and passenger train movements per day which use the crossing and multiplying each by their maximum timetable train speed. This calculation is represented by the following equation:
$$\text{TVSI} = (\text{Tf} \times \text{Sf}) + (\text{Tp} \times \text{Sp})$$
 Where:
TVSI = Train Volume and Speed Index
Tf = Average number of freight trains/day
Tp = Average number of passenger trains/day
Sf = Maximum timetable speed for freight trains
Sp = Maximum timetable speed for passenger trains
- c) The ADT and TVSI thresholds for each category are:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

Category	Characteristics	ClosureCriteria
1)	Incorporated/Signalized*	ADT < 125 and TVSI > 240
2)	Incorporated/Unsignalized	ADT < 175 and TVSI > 240
3)	Unincorporated/Signalized*	ADT < 75 and TVSI > 300
4)	Unincorporated/Unsignalized	ADT < 100 and TVSI > 300

* Where signal equipment or last circuitry update is 10 years old or older.

- d) The Commission shall determine if the crossing meets the following criteria:
- 1) the crossing has a permanent or seasonal obstruction(s) whereby the visibility of trains to motorists approaching the crossing or to motorists stopped at the crossing is not adequate per [Appendix 1 Exhibit 9-104](#), "A Policy ~~of~~ [on](#) Geometric Designs of Highways and Streets" incorporated in Section 1536.10 (b)(9) of this Part;
 - 2) the crossing has an ADT value less than or equal to the threshold for the category; and
 - 3) the crossing has a TVSI value equal to or greater than the threshold for the assigned category.
- e) The Commission shall consider evidence regarding the amount of adverse distance which closure will cause. For the purposes of this Part, adverse distance is defined as the distance which must be traveled, from one side of the crossing to be closed to reach a point adjacent to and on the opposite side of the crossing, via the nearest alternate public crossing and roadway. The Commission shall also consider the adequacy of the alternate crossing and roadway.
- f) The alternate public crossing shall not be considered adequate unless, in the case of an at-grade crossing, it is equipped with automatic warning devices and conforms with the requirements of 92 Ill. Adm. Code 1535, or it is grade separated.
- g) The alternate roadway shall be considered adequate if:
- 1) it is a roadway with an all-weather surface;

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 2) it is of sufficient width to accommodate its existing vehicular traffic plus the vehicular traffic rerouted by the closure, as determined by IDOT's Bureau of Local Roads and Streets;
 - 3) when an existing road is used as an alternate, the roadway is already, or may legally be, utilized by the same types of vehicular traffic as the roadway where the crossing is sought to be closed; and
 - 4) rerouting of the crossing's vehicular traffic over the alternate roadway will not have a significant adverse effect on public safety. Factors to be considered in making this determination include:
 - A) the extent to which rerouting will cause or increase an unsafe and incompatible mix of traffic on the alternate roadway;
 - B) the extent to which rerouting will increase emergency response time; and
 - C) any other evidence of record relating to the safe public use of the alternate roadway.
- h) Proponents of the closure will bear the burden of proving the alternate public crossing and roadway meet the requirements in subsections (f) and (g) above or will meet them after improvements have been made.
- i) The alternate public crossing will not be considered adequate if the amount of adverse distance, as measured along the centerline of the routes which comprise the alternate roadway, which the closure will cause:
- 1) is greater than 0.75 miles when any part of the railroad right-of-way or highway right-of-way at the crossing lies within an incorporated town, village or city, or abuts the corporate limits of any town, village or city; or
 - 2) is greater than four miles in any other case.
- j) The Commission shall order the crossing closed if it meets the criteria set forth in subsections (d), (f), (g) and (i) of this Section or if, under the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law [625 ILCS 5/18c-7401] (ICTL), the Commission finds, based on the totality of evidence presented, that public safety requires the crossing be closed and that public convenience served by the crossing in question is not such as to justify its further

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

retention. No two consecutive crossings shall be closed in a row without the consent of the affected highway agency(s) if the distance between the two crossings from the centerline of each crossing along the railroad's centerline is equal to or greater than one mile.

- k) The Commission shall, when such action is supported by the evidence, order the construction of a turn-around or cul-de-sac to accommodate school bus traffic and/or highway maintenance equipment affected by the crossing closure.
- l) The Commission shall allocate the cost of any improvements found necessary to accommodate a crossing closure required by this Section among the railroad, IDOT and the Grade Crossing Protection Fund. The Commission may also allocate costs to the highway agency when evidence of record supports such allocation.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:
- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: June 18, 2003
 - B) Types of small businesses affected: This amendment will affect those railroad companies that are also small businesses as defined in the Illinois Administrative Procedure Act.
 - C) Reporting, bookkeeping or other procedures required for compliance: None
 - D) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized:

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: RAIL CARRIERSPART 1605
HAZARDOUS MATERIALS

Section 1605.10 Adoption of Federal Regulations by Reference

AUTHORITY: Implementing Section 18c-7404 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (~~Ill. Rev. Stat. 1987, ch. 95½, pars. [625 ILCS 5/18c-7404 and 18c-1202]~~).

SOURCE: Adopted at 11 Ill. Reg. 15877, effective October 1, 1987; amended at 13 Ill. Reg. 20337, effective January 1, 1990; amended at 27 Ill Reg. _____, effective _____.

Section 1605.10 Adoption of Federal Regulations by Reference

- a) The following Parts of 49 CFR, as of October 1, ~~1988~~ 2001, are adopted by reference as regulations of the Illinois Commerce Commission for the transportation of hazardous materials by rail carriers.
- 1) Part 171 (except Sections 15 and 16);
 - 2) Part 172;
 - 3) Part 173 (~~except that all references to "small arms," "small arms primers," "rifle grenades," "percussion caps," "cartridge cases," and other terms relating to firearms or ammunition for personal use are omitted~~) (except Sections 27 and 33);
 - 4) Part 174;
 - 5) Part 177.817c
 - 5) Part 178 (except Subpart J); ~~and~~
 - 6) Part 179.; and
 - 8) Part 180 (except Subpart E).
- b) No incorporation in this Part of the Code of Federal Regulations involves any

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

later amendment or edition.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Petroleum Equipment Contractors Licensing
- 2) Code Citation: 41 Ill. Adm. Code 172
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
172.10	New Section
172.20	New Section
172.30	New Section
172.40	New Section
172.50	New Section
172.60	New Section
172.70	New Section
172.80	New Section
172.90	New Section
172.100	New Section
172.110	New Section
172.120	New Section
172.130	New Section
172.140	New Section
172.150	New Section
172.160	New Section
172.APPENDIX A	New Section
- 4) Statutory Authority: Authorized and Implemented by P.A. 92-0618, effective July 11, 2002.
- 5) A Complete Description of the Subjects and Issues Involved: The purpose of this Part is to implement P.A. 92-0618, which regulates the licensure of petroleum equipment contractors and to take enforcement action against those contractors who violate the Act.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rule contain incorporations by reference? Yes
- 9) Are there any other proposed rule(s) pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rule is to promote compliance with 41 Ill. Adm. Code 170 which regulates persons who perform underground storage tank activity.

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons wishing to comment on this proposed rulemaking may submit comments no later than 45 days after the publication of this Notice to:
- Shelly Bradley
Asst. Director, Division of Petroleum and Chemical Safety
Office of the State Fire Marshal
1035 Stevenson Dr.
Springfield, IL 62703-4259
(217) 785-1020
- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Small businesses such as small companies, small corporations or other small business entities will be affected, which perform UST activity.
 - B) Reporting, bookkeeping or other procedures required for compliance: Petroleum equipment contractors are required to be licensed. Certain employees of those contractors are required to be certified. Certain employees or subcontractors of these contractors are required to possess cards which prove they comply with Occupational Safety and Health Administration standards.
 - C) Types of Professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The need for the new part was not anticipated at the time the agendas were published.

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

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

TITLE 41: FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHALPART 172
PETROLEUM EQUIPMENT CONTRACTOR LICENSING

Section

172.10	Purpose
172.20	Three Year Phase-In
172.30	Definitions
172.40	Licensure Requirements
172.50	Licensed Contractor's Employee Certifications
172.60	Possession of OSHA Identification Cards
172.70	Fees
172.80	Licensure of Out-of-State Contractors
172.90	Issuance of License; Renewal; Restoration; Replacement
172.100	Reports
172.110	Disciplinary Actions Related to Contractor Notice of Violations (CNOV)
172.120	Contractor Notice of Violation Citations and Penalty Process
172.130	Review Panel
172.140	Appeal of Panel Decisions
172.150	Status of Contractor During Appeal of Panel Decision
172.160	Formal Charges; Hearing
172.APPENDIX A	Contractor Violations

AUTHORITY: Implementing the Petroleum Equipment Contractors Licensing Act [225 ILCS 729].

SOURCE: Adopted at 27 Ill. Reg. _____, effective _____.

Section 172.10 Purpose

The Illinois Petroleum Equipment Contractors Licensing Act (PECLA) [225 ILCS 729] is designed to insure the quality of petroleum or hazardous substance Underground Storage Tank (UST) work in Illinois meets the highest standards. Meeting those standards will assure the owners/operators of USTs and the citizens of Illinois that the environment, citizen safety and the owner's/operator's businesses are getting the best service and protection possible.

Section 172.20 Three Year Phase-In

- a) PECLA Phase-In

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

The rules implementing PECLA will be adopted over a 3-year period. This initial adoption establishes licensure requirements, sets fees for licensure, requires certified employees to possess required identification cards, and outlines disciplinary procedures that will be taken against UST contractors that violate this Part or 41 Ill. Adm. Code 170 (Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances). Future additions to this Part will establish training and testing requirements for licensees and will govern the providers of that training and testing.

b) Licensure

After September 15, 2003, all contractors performing UST work in Illinois must hold a PECLA license for each module in which work is performed and will be required to meet the standards for the work module established by 41 Ill. Adm. Code 170 and the requirements of 29 CFR 1910.120 (2002, no later amendments or editions included). The OSHA requirements are available from United States Department of Labor, OSHA, 230 South Dearborn Street, Room 3244, Chicago IL, (312)353-2220.

c) New Standards for UST Work Activity

By calendar year 2006, the OSFM plans to develop and adopt as rule Illinois specific standards for contractors performing UST activities. Until this adoption, the standards referenced in subsection (b) are to be followed.

d) Licensee Training

1) Curriculum. By calendar year 2005, the OSFM plans to develop, in cooperation with industry representatives, and adopt rules establishing an Illinois specific curriculum for the training of UST contractors. The curriculum will insure that owners/operators and citizens of Illinois receive the safest and best UST installation, testing and maintenance possible.

2) Training Providers

OSFM will be developing and adding to this Part standards for approving organizations and/or individuals to provide instruction to licensees in accordance with the curriculum described in this subsection (d).

e) Testing

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

1) Starting in 2006, all UST contractors will be required to pass tests indicating adequate knowledge of the Illinois UST activity standards in order to receive or renew a contractors license.

2) Testing Providers

OSFM will be developing and adding to this Part standards for approving organizations and/or individuals to test prospective licensees. Test fees will be established by OSFM.

Section 172.30 Definitions

“Certified employee” is an individual who performs UST activity for a licensed UST contractor and has successfully completed OSFM prescribed exams for the module in which the employee is conducting UST activity.

“Contractor” is a licensed person, excluding employees, who performs any UST activity.

“Contractor Notice of Violation” (CNOV) is a formal notice to a petroleum equipment contractor notifying the contractor of specific violations of the UST rules (41 Ill. Adm. Code 170).

“DPCS” means Division of Petroleum and Chemical Safety of the Office of the State Fire Marshal.

“Employee” is a licensee or person who is currently employed by a contractor licensed in accordance with this Part.

“Industry member” is a petroleum equipment contractor licensed in at least 2 UST modules.

“Managerial or administrative control” means having authority to conduct the affairs of the organization and direct others in the conduct of the affairs or business of the organization.

“Module” includes the following types of activity:

Installation of USTs;

Repair of USTs, which shall include retrofitting and installation of cathodic protection systems;

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

Decommissioning of USTs, including abandonment-in-place;

Relining of USTs;

Tank and piping tightness testing;

Testing of cathodic protection systems; and

Any other category established by the Office of the State Fire Marshal.

“Office” or “OFSM” means the Office of the State Fire Marshal.

“Officer” means:

If the organization is a sole proprietorship, the owner of the organization or any person exercising managerial control.

If the organization is a partnership, any partner who has at least 10% ownership interest or any partner who exercises managerial control.

If the organization is a corporation, any officer or director of the corporation or any person who has at least 10% ownership interest in such corporation or who exercises managerial control.

“Organization” means a business or other entity, including, but not limited to, a sole proprietorship, partnership, corporation or association and includes units of local government, the State of Illinois and the Federal Government.

“OMI” or “Operational Maintenance Inspection” means an inspection performed by a Storage Tank Safety Specialist (STSS) to establish a facility’s regulatory compliance.

“OSHA” means the federal Occupational Safety and Health Administration.

“OSI” or “Operational Safety Inspection” means an inspection of removal, abandonment-in-place or any tank entry activity requiring an STSS on site.

“PAI” or “Performance Assurance Inspection” means an inspection of UST installation, upgrades, tank tightness testing or cathodic protection activity, where an STSS is scheduled by Date and/or Time Certain job schedules.

“PECLA” means Petroleum Equipment Contractor Licensing Act [225 ILCS 729].

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

“Penalty process” means CNOVs can result in formal penalties ranging from written warning to financial penalty and license suspension to license revocation.

"Permit" or "permitting" refers to the requirements for, and the processing of obtaining, permits required by 41 Ill. Adm. Code 170.541.

“Person” is a natural person or any company, corporation or other business entity.

“Petroleum equipment contractor” is a person, company or corporation that installs, repairs, tests or removes petroleum or hazardous substance USTs.

“Review Panel” (RP) is part of an appeal process for contractors contesting their CNOVs. The RP is appointed by the State Fire Marshal and contains the following 6 members:

3 members of the staff of DPCS.

3 members who have been active as petroleum equipment contractors for a minimum of 2 years and are personally certified in at least 2 modules.

“State Fire Marshal” means the State Fire Marshal of the State of Illinois.

“Storage Tank Safety Specialist” (STSS) is a member of the DPCS staff assigned to perform field work involving Certification Audits of UST facilities in Illinois, PAI, OSI, OMI.

“UST” means underground storage tank system.

“UST activity” means a UST:

Installation – including retrofitting and cathodic protection installation;

Repair – including upgrade, which includes retrofitting and cathodic protection installation;

Removal – decommissioning, which includes abandonment-in-place;

Lining (interior lining) – including initial lining, lining inspection, subsequent lining, repair of lining and lining touch ups;

Tank tightness testing;

Cathodic protection testing; or

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

Installation of manways and any tank entry.

Section 172.40 Licensure Requirements

- a) After September 15, 2003, no person shall engage in any UST activity without first applying for and obtaining a license from the Office of the State Fire Marshal. Licensure is for a 2-year period. Applicants for a license to become a UST contractor must comply with the Petroleum Equipment Contractors Licensing Act [225 ILCS 729] as evidenced by the licensure submissions required by this Section.
- b) Licensure application shall be made to the OSFM's Division of Petroleum and Chemical Safety (DPCS) on forms provided by DPCS and shall include the following submissions:
 - 1) If seeking a license as a UST contractor:
 - A) the State license application and licensing fee required by Section 172.70;
 - B) a list of the contractor's certified employees, on the OSFM prescribed form, stating any UST module in which the employee is certified. The contractor shall sign a notarized affidavit that a copy of this Part and 41 Ill. Adm. Code 170 (the OSFM rules implementing the Gasoline Storage Act [430 ILCS 15]) have been distributed to all certified individual contractors and certified employees of the contractor. (Contractors are required to be certified, or have an employee certified, for each UST module for which they are applying to be licensed.);
 - C) an original annual certificate of general liability insurance in a minimum of \$1,000,000, with the OSFM as certified holder;
 - D) evidence of a passing score on the required OSFM approved exam for the module for which licensure is being sought. The evidence must be an original certification that includes a photo of the individual taking the exam, supplied by the exam provider;
 - E) proof of successful completion of initial 40-hour OSHA training and subsequent 8-hour refresher course;

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- 2) If seeking a license as a tank or line tightness tester, the individual must additionally designate the testing methods for which a license is sought and provide proof that he/she, or any certified employee conducting testing, is certified by the manufacturer of the testing equipment. Such proof shall be submitted at the time of license renewal and shall reflect certification for the license period and the equipment being used, or that the applicant has passed an OSFM approved exam; and
- 3) If seeking a license as an internal tank liner, the applicant additionally shall provide proof that the applicant, or any certified employee conducting lining activity, is approved by the manufacturer of the lining material as qualified and trained in the application of the material and has adequate equipment to perform the interior lining safely. The applicant must also possess licensure in the decommissioning module. Such proof shall be submitted at the time of license renewal and reflect certification for the license period and the equipment being used.

Section 172.50 Licensed Contractor's Employee Certifications

- a) A certified employee is an individual who performs a UST activity for a licensed UST contractor and has successfully completed OSFM prescribed exams for the module in which the employee is conducting the UST activity.
- b) A contractor shall have at least one employee certified for the permitted UST activity, unless the contractor itself is an individual contractor who is so certified.
- c) A contractor shall have at least one employee certified in the UST activity for which the permit was issued actively supervising the UST activity being performed on the job site, unless the contractor itself is an individual who is so certified and supervises the work. At all times during UST operations, there shall be a certified employee or certified individual contractor on the job site; subcontractors are not employees.
- d) Certified employees of licensed contractors shall possess a wallet card verifying successful passage of OSFM approved exams. The wallet card must be carried by the certified employee on UST job sites at all times and shall be available upon request by any OSFM representative.
- e) Electricians must be hired and supervised by a licensed petroleum equipment contractor for all permitted UST activity requiring electrical work.

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- f) Licensed contractors and any of their employees performing a UST activity shall possess OSHA Identification Cards, described in Section 172.60, on UST job sites at all times that shall be made available upon request by any OSFM representative.
- g) Licensed contractors in all UST activity modules are required to follow the scheduling requirements for date certain and/or time certain schedules established by DPCS. For cathodic protection testing and tightness testing (tank and line), 24-hour advance notice shall be provided by the contractor via fax or other approved methods. Emergency testing shall be reported to the OSFM within 24 hours by fax or other approved method.
- h) UST activities may be shut down by any OSFM representative if individual contractors or their employees are not in compliance with subsections (a) through (g) of this Section. Such work shall not resume until approval is granted by the OSFM.

Section 172.60 Possession of OSHA Identification Cards

- a) Licensed contractors, their certified employees and non-certified workers working in a UST activity, and subcontract excavation operators (involved in UST related operations) shall possess, on UST jobsites at all times, 40-hour General Site Worker Program Identification Cards and any valid Refresher Cards that comply with OSHA standards. Cards shall be produced upon request by any OSFM representative. The card requirement is applicable only to UST installations, repairs, lining, removals, abandonments-in-place and physical interior inspections.
- b) Electricians, truck drivers, concrete masons, canopy erectors or crane operators working in activities that involve their area of specialty only are not required to have the Site Worker Program Identification Card but must comply with the standards established by the OSHA General Site Worker Program (29 CFR 1910.120, incorporated by reference in 172.20).
- c) When permitted UST activity is being conducted, compliance with the OSHA standards will be accomplished by direct (line of sight) supervision by the permit holding licensed contractor or the contractor's certified employee for those people entering the work area.
- d) UST activities may be shut down by any OSFM representative, if individual contractors or their employees are not in compliance with this Section. Such work

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

shall not resume until approval is granted by the OFSM.

Section 172.70 Fees

- a) All new fees established under this Part shall become effective for individual contractors already certified and registered in Illinois on the next anniversary of that certification/registration following the adoption of this Part.
- b) All fees are payable within 30 days after the date on the invoice requesting payment of the fee. The payment is to be by check or money order payable to the Office of the State Fire Marshal. All licensure fees will be deposited in the Fire Prevention Fund.
- c) Fee schedule:

Type of Fee:	Fee:
Biennial licensing	\$1000 per UST module
UST activity permit	\$200 each
License restoration	\$50 plus \$1000 per module
Multiple location license	\$50 each location
Duplicate copy of lost license	\$50
Change of name	\$100
Insufficient funds (2 or more occasions)	Amount owing on check or other order plus \$50

- d) All fees paid pursuant to the Part are non-refundable.

Section 172.80 Licensure of Out-of-State Contractors

Any out-of-state contractor wishing to perform work on USTs in Illinois must follow this Part and 41 Ill. Adm. Code 170. Any out-of-state contractor not currently licensed in Illinois at the time of the adoption of this Part shall, as a condition of licensure, conduct 3 jobs in the module for which the contractor is seeking licensure with a currently licensed Illinois contractor.

Section 172.90 Issuance of License; Renewal; Restoration; Replacement

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- a) The State Fire Marshal shall, upon the applicant's satisfactory completion of the requirements of this Part, and upon receipt of the fees required by Section 172.70, issue the appropriate license showing the name and business location of the licensee and the date of issuance and of expiration. Each licensee shall prominently display his or her license at each place from which the UST activity is being performed.
- b) Each licensee may apply for biennial renewal of his or her license upon payment of the fee set forth in Section 172.70. The expiration date and renewal period for each license issued shall be in accordance with Section 172.70. Renewal and reinstatement fees shall be waived for persons who did not renew while on active duty in the military and who file for renewal or restoration within one year after discharge from the service. An expired license may not be restored except upon passing an examination to determine fitness to have the license restored and by paying the restoration fee specified in Section 172.70.
- c) All licenses will be issued for a two-year period. The OSFM shall notify license holders in writing 2 months in advance of their license expiration date. However, failure of a licensee to receive advance notification from OSFM does not relieve the licensee from responsibility for timely license renewal.
- d) If a license or certificate is lost, a duplicate shall be issued upon payment of the fee required by Section 172.70. If a licensee wishes to change his name, the State Fire Marshal shall issue a license in the new name, upon satisfactory proof that the change of name was done in accordance with law and upon payment of the fee established in Section 172.70. Any change in ownership requires a complete new license.

Section 172.100 Reports

- a) As a condition of renewal of a license, the State Fire Marshal may require the licensee to report information pertaining to his or her practice (e.g., history of CNOVs in last 2 years, verification of work with firms, income tax records, history of OSHA violations, etc.) that the OSFM determines to be in the interest of public safety.
- b) A licensee shall report a change in home or office address and UST employee status within 10 days after the change.
- c) Notification on a form prescribed by the OSFM of:

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- 1) Termination of employment of a certified employee;
- 2) Re-certification to perform a UST module by an employee; or
- 3) Certification to perform a UST module by an employee not previously certified or not previously certified to perform that module.

These notifications shall be submitted to the OSFM within 30 days after the occurrence.

Section 172.110 Disciplinary Actions Related to Contractor Notice of Violations (CNOV)

- a) Disciplinary actions result from the issuance of a CNOV. The CNOV is issued by an STSS and copies are provided in the field to the contractor and forwarded to DPCS. DPCS will review the CNOV for completeness before penalty review and the contractor receiving the CNOV will be notified within 15 days, if the CNOV is moving forward for penalty assessment.
- b) CNOVs fall into one of 3 penalty categories:
 - 1) Administrative violations are minor when taken individually, but have a major impact when recurring within 2 years.
 - 2) Quality control violations have significant potential impact on the environment and/or public safety.
 - 3) Safety violations are of such a grave nature as to result in the immediate suspension of contractor activity in the module within which the contractor received the CNOV.
- c) Revocation or suspension of licenses will apply only to the modules for which the CNOV was written.

Section 172.120 Contractor Notice of Violation Citations and Penalty Process

Listed in Appendix A are areas where a contractor could receive a Contractor Notice of Violation (CNOV). The identification of an area as Group A, B or C corresponds to the nature of the violation, e.g., Administrative, Quality Control or Safety. In addition to the violations identified in Appendix A, a contractor can receive a CNOV for any action that, in the opinion of the OSFM, poses imminent danger to the environment or the health and safety of citizens of Illinois. Penalties will be applied to CNOVs based on the following criteria:

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- a) All CNOV's will remain in the contractor's file. The penalty process will be based on active CNOVs. Active CNOVs for purposes of the penalty process will be those that occurred in the 24 months prior to the date of CNOV issuance. No active CNOV can be issued prior to the adoption of this Part.
- b) Penalty assessment for CNOVs will be calculated utilizing the following method:
- 1) Contractors may receive 3 CNOVs with Group A violations that occurred in the 24 months prior to the date of CNOV issuance. Upon receipt of the fourth and any subsequent Group A violations, the fine shall be as follows:

Fourth Violation: \$1000

Fifth Violation: \$2000

Sixth Violation: \$3000

Seventh Violation: \$4000 and a 30-day license suspension in all modules where the violations occurred.

Eighth Violation: \$8000 and the contractor's license in the modules where the violations took place will be reviewed for possible suspension or revocation.
 - 2) Contractors may receive 2 Group B violations that occurred in the 24 months prior to the date of CNOV issuance. Upon receipt of the third and subsequent Group B violations, the fine shall be as follows:

Third Violation: \$1500

Fourth Violation: \$3000

Fifth Violation: \$4500

Sixth Violation: \$6000 and a 60-day suspension in all modules where the violations occurred.

Seventh Violation: \$10,000 and the contractor's license in the modules where the violations took place will be reviewed for possible suspension or revocation.

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- 3) Any CNOV issued for a Group C violation will result in the immediate application of the following penalty structure:

First Violation with no property damage or no personal injury:	\$1500
First Violation with property damage but no personal injury:	\$3000 and a 30-day license suspension in the module where the violation occurred.
First Violation with personal injury:	\$5000 and a 60-day license suspension in the module where the violation occurred.
Second Group C violation:	all penalties double and the contractor's license in the modules where the violations took place will be reviewed for possible suspension or revocation.

- c) Fines are limited to a maximum of \$10,000 per offense and suspension or revocation of licensure.
- d) Contractors receiving a CNOV will be notified of the pending fine and any suspension or revocation and will have 15 calendar days from receipt of the notice to appeal the penalty to the Review Panel (RP) at its next quarterly meeting or to pay the fine and be subject to any suspension or revocation. Payment of fines should be submitted to the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety, 1035 Stevenson Drive, Springfield IL 62703-4259.

Section 172.130 Review Panel

- a) The members of the RP shall serve staggered 2-year terms and be eligible for reappointment. Any time an RP member is involved or has a conflict of interest in an appeal, he or she shall recuse himself/herself from the hearing. The Chairperson shall be a member of the OSFM staff appointed by the Fire Marshal. All public members of the panel serve with no expenditures of State funds.
- b) The RP will meet at least quarterly to conduct hearings on the appeal of penalties levied against contractors issued CNOVs. Contractors shall be allowed to attend

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

the hearing of their appeal and submit evidence. After hearing the appeal, the RP may raise, lower, confirm or vacate the penalty determination. In the event of a tie vote in the deliberations of the RP, the State Fire Marshal shall cast the tie-breaking vote. The RP shall issue its decision in writing within 15 calendar days after the hearing.

Section 172.140 Appeal of Panel Decisions

Any contractor wishing to appeal a penalty assessed in the CNOV penalty process described in Sections 172.110, 172.120 and 172.130 shall do so in writing by certified mail to the Illinois State Fire Marshal, 1035 Stevenson Drive, Springfield IL 62703-4259, within 15 calendar days after receipt of the penalty notice.

Section 172.150 Status of Contractor During Appeal of Panel Decision

During the time a decision of the RP is under appeal, the licensed contractor may continue to work in Illinois unless, in the opinion of the OSFM, continued work by this contractor poses a significant threat to the environment or the health and safety of citizens of Illinois.

Section 172.160 Formal Charges; Hearing

- a) If a contractor wishes to appeal the CNOV through the formal administrative hearing procedure of the State Fire Marshal, a written appeal must be filed in writing by certified mail to the Illinois State Fire Marshal, 1035 Stevenson Drive, Springfield IL 62703-4259, within 15 calendar days after receipt of the penalty notice.
- b) Each licensee whose conduct is the subject of a formal charge that seeks to impose disciplinary action against the licensee shall be served notice of the formal charge at least 30 calendar days before the date of the hearing. The hearing shall be presided over by a hearing officer authorized by the State Fire Marshal in compliance with the Illinois Administrative Procedure Act. Service shall be considered to have been given if the notice was personally received by the licensee or if the notice was mailed certified, return receipt requested, to the licensee at the licensee's last known address as listed with the OSFM.
- c) The notice of a formal charge shall consist, at a minimum, of the following information:
 - 1) The time, place, and date of the hearing.

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- 2) A statement that the licensee shall appear personally at the hearing and may be represented by counsel.
 - 3) A statement that the licensee has the right to produce witnesses and evidence in his or her behalf and the right to cross-examine witnesses and object to evidence produced against him or her.
 - 4) A statement that the hearing can result in disciplinary action being taken against his or her license.
 - 5) A statement of where the individual can procure the rules for the conduct of these hearings.
 - 6) A statement that the hearing officer authorized by the State Fire Marshal will preside at the hearing and, following the conclusion of the hearing, shall make findings of fact, conclusions of law and recommendations, separately stated, to the State Fire Marshal as to what disciplinary action, if any, should be imposed on the licensee.
 - 7) The State Fire Marshal may continue the hearing.
- d) The hearing officer shall conduct the hearing. After the conclusion of a hearing, the hearing officer shall make findings of fact, conclusions of law and recommendations, separately stated, and submit them to the State Fire Marshal and to all parties to the proceeding. Submission to the licensee shall be considered as having been made, if accomplished in a similar fashion as service of the notice of formal charges (see subsection (c)).
 - e) The State Fire Marshal shall review the hearing officer's findings of fact, conclusions of law and recommendations. The report of findings of fact, conclusions of law and recommendations of the hearing officer shall be the basis for the State Fire Marshal's order, in which the State Fire Marshal may accept or reject the recommendations of the hearing officer.
 - f) *If the State Fire Marshal finds that substantial justice was not done, he or she may issue an order in contravention to the findings of fact, conclusions of law, and recommendations of the hearing officer. The finding is not admissible in evidence against the person in a criminal prosecution brought for violation of this Part. [225 ILCS 729/75(e)]*

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

Listed in this Appendix are areas where a contractor could receive a Contractor Notice of Violation (CNOV). The identification of an area as Group A, B or C corresponds to the nature of the violation, e.g., administrative, quality control or safety. In addition to the violations identified in this Appendix, a contractor can receive a CNOV for any action that, in the opinion of the OSFM, poses imminent danger to the environment or the health and safety of citizens of Illinois.

- a) Group A Violations
 - 1) Violations Related to Design, Construction, Installation or Upgrade
 - A) Contractor failed to conduct on-site inspection to insure accuracy of site plans; didn't include sewers, places of assembly next door, school day care center, nursing home, basement, etc., within distance requirements. (See 41 Ill. Adm. Code 170.420(c)(5).)
 - B) Contractor failed to have completed notification form. (See 41 Ill. Adm. Code 170.420(c)(16).)
 - C) Contractor failed to complete contractor section of notification form. (See 41 Ill. Adm. Code 170.420(d).)
 - D) Contractor failed to have an employee certified in the UST module in which work is being performed, on the job site, supervising non-certified employees and subcontractors. (See Section 172.50(c).)
 - E) Contractor failed to make sure the certified employee possessed a valid wallet card verifying successful passage of OSFM approved exams. (See Section 172.50(d).)
 - F) Certified employee failed to carry the valid wallet card on the UST job site at all times or failed to have it available to present to the OSFM representative upon request. (See Section 172.50(d).)
 - G) Contractor and any of its employees failed to possess a valid OSHA Identification Card as described in Section 172.60. (See 41 Ill. Adm. Code 172.50(f).)
 - H) Contractors, their certified employees, non-certified employees and subcontracted excavation operators all working in UST related operations failed to possess a valid 40-hour General Site Worker Program Identification Card or any valid Refresher Card on the

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

UST job site at all times or failed to have it available to present to the OSFM representative upon request. (See Section 172.60(a).)

- D) Contractor failed to provide OSFM with written proof of re-certification for a used tank. (See 41 Ill. Adm. Code 170.420(a)(6).)
 - J) Work began before securing proper permits. (See 41 Ill. Adm. Code 170.420(c)(4).)
 - K) Work began before receiving stamped acknowledgement from OSFM. (See 41 Ill. Adm. Code 170.420(c)(4).)
 - L) Work began before submission of job work schedule. (See 41 Ill. Adm. Code 170.420(c)(4).)
 - M) Work began before work start date on job work schedule. (See 41 Ill. Adm. Code 170.420(c)(4).)
 - N) Contractor failed to be ready for date certain/time certain activity of final inspection. (See 41 Ill. Adm. Code 170.420(c)(16) and (c)(19)(C).)
 - O) Contractor failed to have rust resisting di-electric coating repaired before installation. (See 41 Ill. Adm. Code 170.420(a)(2).)
 - P) Contractor failed to meet time certain/date certain activity deadline. (See 41 Ill. Adm. Code 170.420(c)(19)(C).)
- 2) Violations Related to Vents and Piping
- A) Contractor failed to submit pipe construction and corrosion protection that is different from fiberglass or cathodically protected steel to OSFM for written approval. (See 41 Ill. Adm. Code 170.421(d)(2)(E).)
 - B) Contractor failed to have written approval from OSFM available at job site. (See 41 Ill. Adm. Code 170.421(d)(2)(E).)
- 3) Violations Related to Interior Lining

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- A) Contractor failed to have a complete set of OSFM reporting forms on site before entering process began. (See 41 Ill. Adm. Code 170.430(b)(3).)
 - B) Testing contractor failed to submit the test results within 10 days after a passed inspection. (See 41 Ill. Adm. Code 170.430(b)(6).)
 - C) Contractor failed to submit documentation of all inspection data within 10 days after a passed inspection. (See 41 Ill. Adm. Code 170.430(b)(7).)
 - D) Contractor failed to submit documentation within 10 days after repairs to the coating. (See 41 Ill. Adm. Code 170.430(b)(7).)
 - E) Contractor failed to have all testing equipment on site and functional before opening the tank. (See 41 Ill. Adm. Code 170.430(b)(3).)
- 4) Violations Related to Cathodic Protection
- A) Contractor failed to submit a job work schedule before starting work. (See 41 Ill. Adm. Code 170.460(e)(1).)
 - B) Contractor failed to submit accurate drawings/plans because he failed to conduct an on-site inspection before applying for permit. (See 41 Ill. Adm. Code 170.460(e)(2).)
 - C) Field-designed cathodic protection system installed by contractor was not designed by a corrosion expert recognized by OSFM. (See 41 Ill. Adm. Code 170.420(a)(2)(B).)
- 5) Violations Related to Obtaining Permits
- A) Contractor did not schedule a date and time certain final inspection. (See 41 Ill. Adm. Code 170.541(h)(3)(D).)
 - B) Contractor did not have a representative at the final inspection that was knowledgeable and had ability to work the equipment being inspected. (See 41 Ill. Adm. Code 170.541(h)(3)(D).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- C) Replacement of any of the equipment described in section 170.541(h)(1) was not reported in writing to the OSFM on an OSFM form within 24 hours. (See 41 Ill. Adm. Code 170.541(h)(4).)
 - D) Contractor did not notify the OSFM within 8 working hours that an original 0.1 GPM electronic line leak detector had been replaced after a temporary mechanical line leak detector had been substituted. (See 41 Ill. Adm. Code 170.541(h)(5).)
- 6) Violations Related to the Tester of UST Equipment
- A) The testing contractor did not submit test results to the OSFM on forms prescribed by the OSFM. (See 41 Ill. Adm. Code 170.544(b)(4).)
 - B) Contractor did not have a representative at the final inspection that was knowledgeable and had ability to work the equipment being inspected. (See 41 Ill. Adm. Code 170.541(h)(3)(D).)
 - C) The testing contractor failed to issue a copy of passing test results to the facility and owner. (See 41 Ill. Adm. Code 170.544(b)(1).)
 - D) The contractor failed to replace an original 0.1 GPM electronic line leak detector after 10 working days while substituting with a mechanical line leak detector. (See 41 Ill. Adm. Code 170.541(h)(5).)
- b) Group B Violations
- 1) Violations Related to Design, Construction, Installation or Upgrade
 - A) Contractor replaced a spill basin with one of less than the minimum 5-gallon capacity. (See 41 Ill. Adm. Code 170.420(b)(1)(A).)
 - B) Contractor installed a float vent valve for overfill prevention on a suction system. (See 41 Ill. Adm. Code 170.420(b)(1)(C).)
 - C) Contractor failed to inspect the tanks, pipe or other equipment upon delivery and prior to installation. (See 41 Ill. Adm. Code 170.420(c)(7).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- D) Contractor failed to properly test tanks before installation. (See 41 Ill. Adm. Code 170.420(c)(10).)
 - E) Contractor failed to have pipe trenches wide enough or deep enough or sloped to tanks properly, or to have pipes spaced properly. (See 41 Ill. Adm. Code 170.420(c)(12).)
 - F) Contractor failed to have the trenches backfilled with acceptable material. (See 41 Ill. Adm. Code 170.420(c)(12).)
 - G) Contractor failed to have electrical equipment installed in accordance with NFPA 70. (See 41 Ill. Adm. Code 170.420(c)(15).)
 - H) Contractor failed to have sealant compound installed in all seal-offs. (See 41 Ill. Adm. Code 170.420(c)(15).)
 - I) Contractor failed to have junction boxes closed properly. (See 41 Ill. Adm. Code 170.420(c)(15).)
 - J) Contractor failed to install acceptable observation wells or the proper number of wells. (See 41 Ill. Adm. Code 170.420(c)(18).)
 - K) Contractor failed to install containment under dispensers at the time of new installation. (See 41 Ill. Adm. Code 170.420(c)(19).)
 - L) Contractor failed to install containment under dispensers of existing sites when pipe is replaced. (See 41 Ill. Adm. Code 170.420(c)(19).)
 - M) Contractor failed to meet the hydrostatic testing requirements on all containment before backfilling. (See 41 Ill. Adm. Code 170.420(c)(19).)
 - N) Contractor failed to provide adequate lighting to be able to continue working after sunset. (See 41 Ill. Adm. Code 170.420(c)(21).)
- 2) Violations Related to Corrosion Protection

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- A) Contractor failed to protect pipe that is in contact with the ground, backfill, or water from corrosion. (See 41 Ill. Adm. Code 170.420(d) and 170.460(d).)
 - B) Contractor failed to di-electrically protect all steel risers, vents and fillpipes in contact with the ground, backfill or water. (See 41 Ill. Adm. Code 170.421(d) and 170.460(d).)
 - C) Contractor installed unacceptable shrink-wrap or boots for cathodic protection in a water environment. (See 41 Ill. Adm. Code 170.460(d).)
 - D) Contractor used less than #10 stranded wire for installation of wiring connected to anodes of an impressed current system. (See 41 Ill. Adm. Code 170.460(e)(4)(A).)
 - E) Contractor failed to install the associated electrical equipment in conformance with NFPA 70. (See 41 Ill. Adm. Code 170.460(e)(4)(A)-(E).)
- 3) Violations Related to Piping, Vents and Pumps
- A) Contractor failed to install a positive shut-off valve on the product line at the submersible or at the tank for suction systems on new installations or existing installations when pipe is replaced. (See 41 Ill. Adm. Code 170.421(g).)
 - B) Contractor failed to make the shut-off valve accessible to grade. (See 41 Ill. Adm. Code 170.421(g).)
 - C) Contractor failed to have vent lines ready for date certain/time certain test activity. (See 41 Ill. Adm. Code 170.421(h).)
 - D) Contractor failed to conduct a precision line test before the pipe was put back into service. (See 41 Ill. Adm. Code 170.421(k).)
 - E) Contractor manifolded vent pipes underground. (See 41 Ill. Adm. Code 170.424(a).)
 - F) Contractor installed vent pipes in locations not approved on the permit. (See 41 Ill. Adm. Code 170.424(d).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- G) Contractor attached vents of Class II and Class III products to vents of Class I products (i.e., motor oil and diesel to gasoline). (See 41 Ill. Adm. Code 170.424(e)(1)(C).)
- H) Contractor failed to provide adequate collision protection for vent pipe risers. (See 41 Ill. Adm. Code 170.424(g).)
- I) Contractor failed to secure OSFM approval for remote fill pipes. (See 41 Ill. Adm. Code 170.425(a).)
- J) Contractor failed to color code or label the fill pipes. (See 41 Ill. Adm. Code 170.425(d).)
- K) Contractor failed to install a power source interrupter (emergency cut-off switch) 20-100 feet away from the dispensing area. (See 41 Ill. Adm. Code 170.426(a) and 170.428(g).)
- L) Contractor installed a dispensing device at a marina where there isn't enough room for safe ingress and egress of watercraft. (See 41 Ill. Adm. Code 170.426(j).)
- M) Contractor failed to properly seal openings beneath the dispensing pumps at marinas. (See 41 Ill. Adm. Code 170.426(j).)
- N) Contractor failed to install a hose retracting device for hoses longer than 18 feet. (See 41 Ill. Adm. Code 170.426(n).)
- O) Contractor installed dispenser pumps too close (within 5 feet) of the building. (See 41 Ill. Adm. Code 170.426(o).)
- P) Contractor failed to provide adequate collision protection for dispenser pumps. (See 41 Ill. Adm. Code 170.426(o) and 170.428(h).)
- Q) Contractor failed to install a readily accessible shut-off valve for product supply from shore to the pier dispensers. (See 41 Ill. Adm. Code 170.428(e).)
- R) Contractor failed to install emergency breakaway devices on the dispensing hose. (See 41 Ill. Adm. Code 170.428(j).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

4) Violations Related to Interior Lining

Contractor failed to present to the STSS the confined space entry permit for the job, while employee inside tank. (See 41 Ill. Adm. Code 170.430(c)(2).)

5) Violations Related to Obtaining Permits

Contractor failed to secure an inspection permit when using an alternate method for inspection. (See 41 Ill. Adm. Code 170.430(b)(9).)

c) Group C Violations

1) Violations Related to Design, Construction, Installation or Upgrade

A) Contractor did not have equipment heavy enough to lift tank and dropped it. (See 41 Ill. Adm. Code 170.420(a)(3).)

B) Contractor excavated too close to existing foundation and caused damage, building shift or building collapse. (See 41 Ill. Adm. Code 170.420(c)(1).)

C) Contractor failed to have equipment with sufficient lift. (See 41 Ill. Adm. Code 170.420(c)(6).)

D) Contractor failed to provide excavation sloping, benching, stepping, or shoring sides. (See 41 Ill. Adm. Code 170.420(c)(9).)

E) Contractor failed to install anchoring or ballasting in water environment and tanks floated. (See 41 Ill. Adm. Code 170.420(c)(11).)

2) Violations Related to General Requirements for Dispensing

Contractor has rigged emergency shut-off valve to remain open at all times. (See 41 Ill. Adm. Code 170.428(k).)

3) Violations Related to Interior Lining

A) Contractor failed to comply with entry procedures outlined in API 2015 and 2015A. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- B) Contractor failed to check oxygen levels inside tank. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- C) Contractor failed to have positive pressure air supplied equipment on site and/or functioning. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- D) Contractor failed to have a full face enclosure on his employee. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- E) Contractor failed to have a safety harness on the employee who enters the tank. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- F) Contractor failed to have sufficient numbers of employees to provide an attendant while employee was in the tank. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- G) Contractor has failed to require employees to wear clothing that covers the arms, legs, torso, and head of tank entry personnel. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- H) Contractor failed to require employee to remove clothing saturated with product upon immediate departure of tank. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- I) Contractor failed to familiarize employees with ANSI Z117.1 – Safe Confined Space Entry. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- J) Contractor failed to periodically monitor with a CGI and O₂ monitor. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- K) Contractor failed to cap or plug all other product lines and openings to ensure no liquid or vapor enters the tank. (See 41 Ill. Adm. Code 170.430(a)(1)(A).)
- L) Contractor failed to stop work that released flammable vapors while heater was being used to cure the lining material. (See 41 Ill. Adm. Code 170.430(a)(1)(B).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- M) Contractor failed to attend the heater when in operation. (See 41 Ill. Adm. Code 170.430(a)(1)(B).)
- N) Contractor failed to secure a lining inspection permit in order to complete the 10-year or 5-year internal inspection. (See 41 Ill. Adm. Code 170.430(a)(1)(G).)
- O) Contractor used spark producing welding to repair inside the tank. (See 41 Ill. Adm. Code 170.430(b)(2)(A)(ii).)
- P) Contractor used spark producing cutting device to repair inside the tank. (See 41 Ill. Adm. Code 170.430(b)(2)(A)(ii).)
- Q) Contractor failed to maintain exclusion zone. (See 41 Ill. Adm. Code 170.430(c)(4).)
- R) Contractor caught smoking inside the exclusion zone. (See 41 Ill. Adm. Code 170.430(c)(4).)
- S) Contractor used spark-producing/non-explosion proof equipment inside the exclusion zone. (See 41 Ill. Adm. Code 170.430(c)(4).)
- T) Contractor failed to isolate the product lines. (See 41 Ill. Adm. Code 170.430(c)(5).)
- U) Contractor failed to isolate manifolds. (See 41 Ill. Adm. Code 170.430(c)(5).)
- V) Contractor failed to isolate siphons. (See 41 Ill. Adm. Code 170.430(c)(5).)
- W) Contractor failed to isolate manifolded vent systems. (See 41 Ill. Adm. Code 170.430(c)(5).)
- X) Contractor failed to remove residual liquids from tank with explosion-proof pump. (See 41 Ill. Adm. Code 170.430(c)(6).)
- Y) Contractor failed to regularly monitor the excavation area with a CGI. (See 41 Ill. Adm. Code 170.430(c)(7).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- Z) Contractor failed to maintain the levels of 5% LEL (lower explosive limits) or O₂. (See 41 Ill. Adm. Code 170.430(c)(7).)
- AA) Vapor freeing not done in accordance with API 1631 Section 2.4. (See 41 Ill. Adm. Code 170.430(c)(8).)
- BB) Contractor failed to have all devices bonded to the tank when using compressed air or inert gas under pressure. (See 41 Ill. Adm. Code 170.430(c)(8).)
- CC) Contractor failed to have the tank grounded to a separate ground when vapor freeing. (See 41 Ill. Adm. Code 170.430(c)(8).)
- DD) Contractor failed to have a pressure gauge on the cylinder for inert gas. (See 41 Ill. Adm. Code 170.430(c)(8).)
- EE) Contractor failed to have an operational pressure gauge on the cylinder for inert gas. (See 41 Ill. Adm. Code 170.430(c)(8).)
- FF) Contractor used higher than 5 psi discharge into the tank for vapor freeing. (See 41 Ill. Adm. Code 170.430(c)(8).)
- GG) Contractor did not test grounding and bonding for continuity. (See 41 Ill. Adm. Code 170.430(c)(8).)
- HH) Contractor commenced cutting/opening procedures/cleaning procedures before STSS arrived. (See 41 Ill. Adm. Code 170.430(c)(9).)
- II) Contractor used plastic tile or plywood for manway access to the surface – neither are non-collapsible structures. (See 41 Ill. Adm. Code 170.430(c)(10).)
- JJ) Personal protective equipment was not provided for personnel in accordance with API 1631. (See 41 Ill. Adm. Code 170.430(c)(11).)
- KK) Contractor failed to maintain a positive continual flow of fresh air into the tank once classified as non-hazardous and in lieu of supplied air. (See 41 Ill. Adm. Code 170.430(c)(15).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- LL) Contractor failed to provide continuous monitoring during the operation. (See 41 Ill. Adm. Code 170.430(c)(15).)
- 4) Violations Related to Cathodic Protection
- A) Contractor failed to vapor free the tank before introducing an electrified video camera into the interior for the purpose of inspection prior to installing cathodic protection. (See 41 Ill. Adm. Code 170.460(a)(1)(B)(ii).)
 - B) Contractor had a remote camera with a short in the electrical system. (See 41 Ill. Adm. Code 170.460(a)(1)(B)(ii).)
 - C) Contractor had a lighting source that was not suitable for this application. (See 41 Ill. Adm. Code 170.460(a)(1)(B)(ii).)
- 5) Violations Related to Emergency Repairs Allowed Contractor failed to notify OSFM of request for authorization to proceed for emergency repair. (See 41 Ill. Adm. Code 170.481(d).)
- 6) Violations Related to Installer, Repairer, Liner or Remover of USTs and Obtaining Permits
- A) Contractor failed to obtain a permit in advance to install a UST. (See 41 Ill. Adm. Code 170.541(a).)
 - B) Contractor failed to obtain a permit in advance to repair a UST. (See 41 Ill. Adm. Code 170.541(a).)
 - C) Contractor failed to obtain a permit in advance to line a UST. (See 41 Ill. Adm. Code 170.541(a).)
 - D) Contractor failed to obtain a permit in advance to perform lining touch up work on a UST. (See 41 Ill. Adm. Code 170.541(a).)
 - E) Contractor failed to obtain a permit in advance to perform a lining inspection on a UST. (See 41 Ill. Adm. Code 170.541(a).)
 - F) Contractor failed to obtain a permit in advance to install cathodic protection on a UST. (See 41 Ill. Adm. Code 170.541(a).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- G) Contractor failed to obtain a permit in advance to abandon-in-place a UST. (See 41 Ill. Adm. Code 170.541(a) and 170.670(d)(2)(H)(i).)
 - H) Contractor failed to obtain a permit in advance to upgrade a UST. (See 41 Ill. Adm. Code 170.541(a).)
 - I) Contractor failed to obtain a permit in advance to remove a UST. (See 41 Ill. Adm. Code 170.541(a).)
 - J) Contractor did regulated UST activities with an expired permit. (See 41 Ill. Adm. Code 170.541(a)(7).)
 - K) The contractor performed UST activities that were not in compliance with the conditions of a permit issued to that contractor. (See 41 Ill. Adm. Code 170.541(e).)
- 7) Violations Related to Notification and Establishment of Time Certain and Date Certain for UST Activity
- A) The contractor failed to schedule a date certain with the OSFM to perform UST activities relating to removals, abandonment-in-place, repair or lining of any tank entry. (See 41 Ill. Adm. Code 170.543(a)(2)(A).)
 - B) The contractor performed work without the OSFM STSS present, while removal, abandonment-in-place, tank entry, interior lining, lining inspect, or installation of manway (except in cases where manway installation is a part of aligning permit or lining inspection permit) activities were being performed. (See 41 Ill. Adm. Code 170.543(a)(2)(B).)
- 8) Violations Related to Tester of USTs and UST Equipment
- The contractor had an employee performing precision tank and piping test who was not trained by the manufacturer of the testing equipment he was using to conduct the test. (See 41 Ill. Adm. Code 170.544(a)(2)(B).)
- 9) Violations Related to Removal or Abandonment-in-Place of USTs

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- A) Contractor did not remove all petroleum or hazardous substance from the tank or connecting lines prior to the removal process. (See 41 Ill. Adm. Code 170.670(a)(1).)
- B) The contractor did not follow all parts of recommended practice API 1604 before the removal process and at any time thereafter. (See 41 Ill. Adm. Code 170.670(a)(4).)
- C) The contractor did not establish an exclusion zone around the tank excavation during the removal process. (See 41 Ill. Adm. Code 170.670(c)(3).)
- D) The contractor had employees and/or subcontractor employees smoking within the exclusion zone during the removal process. (See 41 Ill. Adm. Code 170.670(c)(3).)
- E) The contractor did not use explosion-proof pumps to remove liquids from the tanks prior to removal process. (See 41 Ill. Adm. Code 170.670(c)(5).)
- F) The contractor used a plastic pipe to suck product out of a tank prior to removal. (See 41 Ill. Adm. Code 170.670(c)(5).)
- G) The contractor did not properly monitor the tank atmosphere down to the bottom of the tank or the excavation area. (See 41 Ill. Adm. Code 170.670(c)(6) and (d)(2)(H)(vii).)
- H) While vapor freeing a tank with compressed air, the contractor did not bond all devices to the tank or properly ground the tank to a separate ground. (See 41 Ill. Adm. Code 170.670(c)(8) or (d)(2)(H)(viii).)
- I) While vapor freeing a tank for removal, plastic pipes were used as vent tubes on eductors. (See 41 Ill. Adm. Code 170.670(c)(8).)
- J) The contractor excavated along the side or end of a tank prior to vapor freeing or inerting the tank itself. (See 41 Ill. Adm. Code 170.670(c)(10).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- K) The contractor began cutting and cleaning operations before OSFM STSS was on site for a tank removal inspection. (See 41 Ill. Adm. Code 170.670(c)(11).)
- L) The contractor did not have one or more of the following elements for personal protection of the tank cleaning personnel on site:
- Supplied air with full face mask.
 - Level B personal protective equipment with body harness and tag line.
 - Protective booties.
 - Continual monitoring of LEL and O₂ during cleaning.
 - Attendant/observer.
 - Confined space entry permit to include MSDS sheets.
 - Positive flow of fresh air supplied during the cleaning operations. (See 41 Ill. Adm. Code 170.670(c)(12)(G).)
- M) The contractor did not follow API 1604 Section 4.2.3 when using continuous spark producing equipment to cut the tank open after removal. (See 41 Ill. Adm. Code 170.670(c)(16).)
- N) When it was found that a tank had been removed without a permit and the tank was still on site and aboveground, the contractor who removed the tank illegally did not put the tank back into the excavation and cover it with backfill until a proper removal permit was obtained. (See 41 Ill. Adm. Code 170.670(c).)
- O) While filling a tank for abandonment-in-place, the contractor failed to follow API-recommended practice 1604. (See 41 Ill. Adm. Code 170.670(d)(2)(C).)
- P) The contractor did not establish an exclusion zone around the tank excavation during the abandonment-in-place process. (See 41 Ill. Adm. Code 170.670(d)(2)(H)(iv).)

OFFICE OF STATE FIRE MARSHALL

NOTICE OF PROPOSED RULES

- Q) The contractor was found using spark-producing/non-explosion proof equipment in the vapor hazard area during an abandonment-in-place process. (See 41 Ill. Adm. Code 170.670(d)(2)(H)(iv).)
- R) The contractor had employees and/or subcontractor employees smoking within the exclusion zone during the abandonment-in-place process. (See 41 Ill. Adm. Code 170.670(d)(2)(H)(iv).)
- S) The contractor did not use explosion-proof pumps to remove liquids from the tanks prior to the abandonment-in-place process. (See 41 Ill. Adm. Code 170.670(d)(2)(H)(vi).)
- T) The contractor did not follow API 1604 while vapor freeing a tank for abandonment-in-place. (See 41 Ill. Adm. Code 170.670(d)(2)(H)(viii).)
- U) The contractor began cutting and cleaning operations before OSFM STSS was on site for abandonment-in-place inspections. (See 41 Ill. Adm. Code 170.670(d)(2)(H)(x).)
- V) During the cleaning procedures for an abandonment-in-place job, the contractor did not follow API-recommended practice 2015 that requires a type of respiratory equipment that provides positive air pressure to a full-face mask throughout the breathing cycle. (See 41 Ill. Adm. Code 170.670(d)(2)(H)(xii).)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Public Use of DHS Facilities
- 2) Code Citation: Title 89 Part 546
- 3) Section Numbers: Proposed Action:
546.10 Amended
- 4) Statutory Authority: : Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625.
- 5) A Complete Description of the Subjects and Issues involved: This rulemaking is being proposed to clarify language regarding the use of a DHS-ORS facility. A request to use a facility must be approved by the DHS Secretary or his/her designee.
- 6) Will this proposed rule replace an emergency rule currently in effect? no
- 7) Does this rulemaking contain an automatic repeal date? no
- 8) Does this proposed rulemaking contain incorporations by reference? no
- 9) Are there any other amendments pending on this Part? no
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days of the date of this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Karl Menninger, Acting Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762
(217) 785-9772
- 12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: N/A
 - B) Reporting, bookkeeping or other procedures required for compliance: N/A
 - C) Types of professional skills necessary for compliance: N/A
- 13) Regulatory agenda on which this rulemaking was summarized: This rule was not anticipated at the time of the January 2003 agenda.

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
SUBTITLE A: GENERAL PROGRAM PROVISIONS
CHAPTER IV: DEPARTMENT OF HUMAN SERVICESPART 546
PUBLIC USE OF DHS-ORSFACILITIES

Section

546.10 Public Use of DHS-ORSFacilities

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625].

SOURCE: Adopted at 18 Ill. Reg. 10241, effective June 17, 1994; amended at 20 Ill. Reg. 14899, effective November 1, 1996; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 27 Ill. Reg. _____, effective _____.

Section 546.10 Public Use of DHS-ORSFacilities

- a) ~~DHS operated~~Facilities operated by Department of Human Services/Office of Rehabilitation Services (DHS-ORS) may be used by persons, groups or organizations at the discretion of DHS and under the following conditions:
- 1) a request to use a facility should be submitted in writing to the ~~Superintendent/Office Manager~~ Secretary of DHS or her/his designee ~~of that facility~~ at least two weeks in advance of the requested date(s); the request must detail the intended use and specify the part or parts of the facility needed;
 - 2) the activity and reservation time must be approved, in writing, by the ~~school Superintendent/Office Manager~~ Secretary or his/her designee;
 - 3) groups and organizations must designate an adult who is responsible for the group or organization;
 - 4) the requestor(s) shall adhere to guidelines and regulations of this Section established by DHS concerning conduct and activities while on the premises and agree that its activities will not interfere with normal operations of the DHS-ORS facility;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

- 5) the requestor(s) must sign an agreement prior to utilizing the facility that indicates:
 - A) compliance with applicable Departmental regulations prohibiting the use of alcoholic beverages, tobacco products, illegal drugs, fireworks, explosives, guns, weapons and gambling on State property;
 - B) agreement to return the facility to the condition it was in prior to the group's use. If any cleanup expense is incurred by DHS, fees will be charged to the group or responsible person. The ~~school Superintendent/Office Manager~~ Secretary or his/her designee will determine if this requirement has been met by the person, group or organization; and
 - C) understanding that DHS will not provide security;
 - 6) proposed use of the facility shall not conflict with the provision of any lease held by DHS; and
 - 7) any requestor(s) using the facility must pay all activity expenses incurred directly and not through DHS.
- b) The requestor(s) shall indemnify and hold harmless DHS and the State of Illinois for any loss DHS or the State may sustain related to the use of the facility by the person, group or organization. The person, group or organization will be asked to demonstrate it has liability insurance that is adequate for the type of event it is conducting and be asked to name DHS as an additional insured on its insurance policy. The ~~Superintendent/Office Manager~~ Secretary or his/her designee shall determine the amount and type of insurance required based on the type of activity and number of people to be involved. Any questions regarding type and amount of coverage shall be referred to DHS Legal Division for final determination.
 - c) Requestor(s) using a DHS-ORS facility shall not damage, deface, destroy, remove or injure in any way the State property being used. All persons, organizations, and groups will be responsible for all costs, expenses, damages and liability resulting from such damage, defacement, destruction, removal or other injury to State property.
 - d) DHS may contract with local election boards to allow use of its facilities as accessible polling places during local, State, and national elections. These

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

agreements will be entered into at the discretion of the Department if such use does not violate any local agreements and/or leases DHS may have for that property. [The Secretary of DHS or his/her designee shall approve the contract.](#)

(Source: Amended at 27 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Duck, Goose and Coot Hunting
- 2) Code Citation: 17 Ill. Adm. Code 590
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
590.10	Amendment
590.15	Amendment
590.20	Amendment
590.40	Amendment
590.50	Amendment
590.60	Amendment
590.80	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8 and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8 and 3.10], and Migratory Bird Hunting (50 CFR 20).
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to update Statewide regulations, sites open for hunting, site-specific regulations and hunting dates.
- 6) Will this rulemaking contain an automatic repeal date?
- 7) Does this rulemaking contain an automatic repeal date?
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jonathan Furr, General Counsel
Department of Natural Resources
One Natural Resources Way

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Springfield IL 62702-1271
217/782-1809

- 12) Initial Regulatory Flexibility Analysis:
- D) Types of small businesses, small municipalities and not for profit corporations affected: None
 - E) Reporting, bookkeeping or other procedures required for compliance:
None
 - F) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: July 2002

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 590

DUCK, GOOSE AND COOT HUNTING

Section

590.10	Statewide Regulations
590.15	Duck, Goose and Coot General Hunting Regulations on Department-Owned and - Managed Sites Listed in 590.40 and 590.50
590.20	Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
590.25	Illinois Youth Waterfowl Hunting Permit Requirements (Repealed)
590.26	Illinois Youth Duck Hunting Permit Requirements (Repealed)
590.30	Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites (Repealed)
590.40	Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.50	Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.60	Various Other Department Sites - Duck, Goose and Coot Hunting
590.70	Ohio River
590.80	Early and Late Goose (all species) Hunting Regulations on Department Sites
590.EXHIBIT A	The Non-Toxic Shot Zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; emergency expired March 3, 1984; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; preemptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; emergency expired March 5, 1986; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; emergency expired February 23, 1987; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendment at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 13293, effective September 3, 1991; emergency amendment at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective September 27, 1994, for a maximum of 150 days; emergency expired February 23, 1995; amended at 19 Ill. Rev. 13209, effective September 11, 1995; amended at 20 Ill. Reg. 754, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12417, effective August 30, 1996; amended at 21 Ill. Reg. 578, effective December 30, 1996; amended at 21 Ill. Reg. 11713, effective August 12, 1997; amended at 22 Ill. Reg. 2182, effective January 2, 1998; amended at 22 Ill. Reg. 15961, effective August 24, 1998; amended at 22 Ill. Reg. 21881, effective December 3, 1998; emergency amendments at 23 Ill. Reg. 3092, effective March 10, 1999, for a maximum of 150 days; emergency expired August 6, 1999; amended at 23 Ill. Reg. 11195, effective August 26, 1999; emergency amendment at 23 Ill. Reg. 14640, effective December 13, 1999, for a maximum of 150 days; emergency expired May 10, 2000; amended at 24 Ill. Reg. 12517, effective August 7, 2000; amended at 25 Ill. Reg. 14131, effective October 22, 2001; amended at 26 Ill. Reg. 16238, effective October 18, 2002; amended at 27 Ill. Reg. _____, effective _____.

Section 590.10 Statewide Regulations

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- a) Pursuant to Section 2.18 of the Wildlife Code [520 ILCS 5/2.18], it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 USC 703-711), the "Migratory Bird Hunting Stamp Act" (16 USC 1718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20 and 21) (collectively referred to in this Part as federal regulations) (no incorporation in this Part includes later amendments or editions), or contrary to any State regulations made in the Wildlife Code. Violation is a Class B misdemeanor (see 520 ILCS 5/2.18).
- b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this Part, unless federal regulations are more restrictive. Violation is a Class B misdemeanor (see 520 ILCS 5/2.33), except that violation of Section 2.33(g), (i), (o), (p), (y) and (cc) are Class A misdemeanors with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties .
- c) Duck, goose and coot regulations are in accordance with Federal Regulations (50 CFR 20) unless the regulations in this Part are more restrictive. Violation is a Class B misdemeanor (see 520 ILCS 5/2.18).
- d) It shall be unlawful while attempting to take migratory waterfowl or coots to have in possession any shotgun shells not approved as non-toxic by federal regulations. Violation is a petty offense (see 520 ILCS 5/2.18-1).
- e) It shall be unlawful to possess any shotgun shell loaded with a shot size larger than bismuth BBB, tungsten-iron BB, or tungsten-polymer BB, tungsten-matrix BB, or tungsten-nickel-iron (HEVI-SHOT) B when attempting to take waterfowl. Violation is a petty offense (see 520 ILCS 5/2.18-1).

f) Emergency Closure

The Department of Natural Resources (Department or DNR) will close the Canada goose season giving 48 hours notice when quotas established by federal regulations are reached, when harvest in any area is excessive due to extreme weather conditions or when a serious outbreak of infectious disease occurs, such as avian cholera or duck virus enteritis. Hunting Canada Geese after the season is closed is a Class B misdemeanor (see 520 ILCS 5/2.18). Possession of freshly killed wild geese during the closed season is a Class A misdemeanor (see 520 ILCS 5/2.33(cc)).

g) Closed Areas

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Closed areas, including waterfowl refuges and rest areas, may be designated at certain sites in accordance with 17 Ill. Adm. Code 510. Boundaries of these closed areas will be posted. Violation is a petty offense (see 520 ILCS 5/2.20).

- h) Commercial Migratory Waterfowl Hunting Area Permits
- 1) The holder of a permit shall forward information on harvest and hunters to the Department, by phone or on forms furnished by the Department, at times required by the Department. The Department shall give the permit holder reasonable written notice of the dates reports are required. [Permit holders are required to retain a copy of their harvest records for at least 2 years after expiration of their permit.](#) Failure to timely supply such reports will make the permit holder subject to revocation of his permit and suspension of the privilege to hold the permit for up to 5 years. Violation is a petty offense (see 520 ILCS 5/3.6).
 - 2) On any property where the principal waterfowl harvest is wild geese, it is the permit holder's duty to ensure that no more than 5 persons occupy or attempt to take wild geese from any blind or pit at the same time during the Canada goose season. Violation is a petty offense (see 520 ILCS 5/3.8).
 - 3) The Department may assign the maximum potential Canada goose harvest (number registered pits x 5 hunters x Canada goose bag limit) to the cumulative quota zone harvest for each day a club is late in reporting.
- i) Waterfowl Hunting Zones:
- 1) North Zone - That portion of the State north of a line running east from the Iowa border along Illinois Route 92 to U.S. Interstate 280, east along U.S. Interstate 280 to U.S. Interstate 80, then east along U.S. Interstate 80 to the Indiana border.
 - 2) Northern Illinois Quota Zone - DuPage, Kane, Lake, and McHenry counties, and those portions of LaSalle and Will counties north of I-80.
 - 3) Central Zone - That portion of the State south of the northern zone boundary to the Modoc Ferry route on the Mississippi River and east along the Modoc Ferry Road to Modoc Road to St. Leo's Road to Illinois Route 3, then north to Illinois Route 159, then north to Illinois Route 161, then east to Illinois Route 4, then north to U.S. Interstate 70, then east

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

along U.S. Interstate 70 to the Bond County line, north and east along the Bond County line to Fayette County, north and east along the Fayette County line to Effingham County, east and south along the Effingham County line to U.S. Interstate 70, then east along U.S. Interstate 70 to the Indiana border.

- 4) Central Illinois Quota Zone - Calhoun, Cass, Fulton, Jersey, Knox, Mason, Morgan, Peoria, Pike, Tazewell, and Woodford counties, as well as those portions of LaSalle, Grundy, and Will counties south of I-80.
 - 5) South Zone - From the southern boundary of the Central Zone south to the remainder of the State.
 - 6) Northeastern Illinois Canada Goose Zone - All lands and waters in the counties of Cook, DuPage, Grundy, Kankakee, Kane, Kendall, Lake, McHenry and Will.
 - 7) Southern Illinois Quota Zone - Alexander, Union, Williamson, and Jackson Counties.
- j) No person during the open season shall take or attempt to take wild geese prior to ½ hour before sunrise nor after sunset. In the Southern Illinois Quota Zone (SIQZ), no person shall take or attempt to take wild geese after the hour of 3:00 p.m.; except, during the last 3 days of the Canada goose season and during any goose seasons that occur after the regular Canada goose season and during any Canada Goose season set in September, hunting hours in the SIQZ shall close at statewide closing time at sunset daily, and during any Canada Goose Season set in September, hunting hours shall close daily at sunset. During special light goose seasons as indicated in subsection (n), statewide hunting hours shall be ½ hour before sunrise to ½ hour after sunset daily. Hunting prior to ½ hour before sunrise during the open season is a Class A misdemeanor (see 520 ILCS 2.33(y)). Hunting after ½ hour after sunset is a Class A misdemeanor (see 520 ILCS 2.33(y)). Hunting after closing hours is a Class B misdemeanor (see 520 ILCS 5/2.18).
- k) On any property where the principal waterfowl harvest is wild geese in the Southern Illinois Quota Zone, no more than 5 persons shall occupy or attempt to take wild geese from any blind or pit at the same time during the Canada Goose season. Violation is a petty offense (see 520 ILCS 5/3.8(b)(4)).
- l) The following apply in the Northern, and Central ~~and Southern~~ Illinois Quota

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Zones [only](#):

- 1) It is unlawful to hunt Canada geese during seasons after September 15 without having in possession a current season's permit to hunt Canada geese, unless exempt from a State waterfowl stamp. Such permits are not transferrable and are not valid unless they contain the hunter's name, signature, date of birth and the same State waterfowl stamp number that is on the State waterfowl stamp that is signed by the hunter or affixed to his/her license.
- 2) Immediately upon taking possession of a harvested Canada goose, hunters must mark with indelible ink, punch or slit the Permit to Hunt to indicate the date of kill (one date for each goose harvested) and zone where killed.
- 3) Hunters must report their kill on the same calendar day the geese are taken by calling 1-800-WETLAND (938-5263). Hunters must report the number of geese taken, date and zone where taken.
- 4) Violation is a Class B misdemeanor (see 520 ILCS 5/2.18).
- m) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take ducks, geese or coots. Instructions for registering are provided with issuance of hunting license. Violation is a petty offense (see 520 ILCS 5/3.1(f)).
- n) If 50 CFR 20 or 21 allows light goose seasons to be liberalized, snow geese, blue geese and Ross' geese may be taken in accordance with federal regulations regarding hunting hours, method of taking and bag limits through March 31.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 590.15 Duck, Goose and Coot General Hunting Regulations on Department-Owned and -Managed Sites Listed in 590.40 and 590.50

- a) Definitions
 - 1) Blind site - A position within 10 feet of numbered stake where blind must be constructed. Sites shall be located and marked by the Department ~~of~~ **Natural Resources**.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 2) Blind builder - Person who has been assigned a blind site as a result of the drawing.
 - 3) Blind partner - Persons chosen by the builder to assist in construction and maintenance of the blind and to share its blind claiming and hunting privileges.
 - 4) Drawing - Procedure by which blind sites are assigned.
 - 5) Blind registration card - Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.
 - 6) Complete blind - A blind with all framework and siding constructed and in readiness for use, including final brushing.
 - 7) Hunting party - An individual or group of hunters occupying a single boat, blind, or hunting site.
 - 8) Dog Hide - A compartment or area within or attached to a blind that houses a dog used to retrieve downed waterfowl.
- b) Blind Construction
- 1) Blinds must be at least 4 feet x 8 feet, but no higher than 14 feet from the water surface at normal pool level, to the top of the shooting box, sturdy enough to withstand daily usage, and must be maintained in good condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.
 - 2) Blinds built over water must be of platform construction with the platform constructed above normal water conditions or they may be floating blinds.
 - 3) Blinds must be completed, including final brushing, 3 weeks in advance of opening date of regular duck season (except at Mississippi River Area Pools 25 and 26 blinds and final brushing must be completed 4 weeks in advance of opening date of regular duck season) after which time the Department ~~of Natural Resources~~ shall inspect all blinds and blind sites and issue Blind Registration Cards to those which pass inspection. Blind builders shall not gain access to Redwing Slough/Deer Lake until the day following Labor Day. Blind builders must post Blind Registration Card in

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

the blind prior to the first day of regular duck season. If adverse weather or water conditions make compliance with this rule difficult the site superintendent or the District Wildlife Manager may grant extensions.

- 4) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, shall be reassigned to alternates selected at a drawing or by a first come-first served allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, 7 days prior to the opening date of the duck season on sites posted as being closed to trespassing 7 days prior to regular duck season. At Mississippi River Area Pools 25 and 26 re-assigned blinds must be completed by sunset of the Sunday immediately preceding the opening day of regular duck season. On all other sites reassigned blinds must be completed, including final brushing, by the day before the opening day of the regular duck season.
- 5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. After the designated time, no changes shall be accepted. As directed by the information sheet available at each site, the registration form must be filled out and returned within 30 days prior to the blind drawing date. Failure to do so shall result in forfeiture of blind.
- 6) No person shall be allowed to be a blind builder or partner on more than one public waterfowl blind managed by the ~~Illinois~~ Department of ~~Natural Resources~~.
- 7) Boat hides are required, except as noted in Sections 590.40 and 590.50, and must have minimum inside dimensions of 18' x 6', and shall be sturdy enough to withstand daily use considering the conditions of the site, and must be maintained in good condition throughout the season, and shall be completed including final brushing by 3 weeks prior to the opening day of duck season, except at Mississippi River Area Pools 25 and 26 boat hides and final brushing must be completed 4 weeks prior to the opening day of duck season; failure to meet these standards shall result in forfeiture of blind site.
- 8) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds except as

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

indicated in Sections 590.40(a) and (b) and 590.50(a) and (b).

- 9) Blinds must include a dog hide that is on the same level as the blind. The dog hide can either be incorporated into the blind by providing a hole at floor level that measures at least 20 inches high by 20 inches wide or by providing a separate compartment that is attached to the blind. Hides attached to the blind should have a minimum floor space that measures 2 feet by 2 feet and should be at least 2.5 feet high with 2 openings. One opening should be between the blind and the dog hide, should measure at least 20 inches by 20 inches, and should be constructed at the same level as the blind floor. The water access opening should be at least 20 inches wide and 20 inches high. Hides either within the blind or attached should have an enforced ramp to water level that is at least 15 inches wide with cleats every 12 inches. Openings in the blind must be capable of being closed when not in use.
- c) Use of blinds
- 1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
 - 2) No person shall hunt, or attempt to hunt, except from within a registered blind.
 - 3) Persons under 16 years of age shall not hunt, or attempt to hunt, unless accompanied by an adult due to safety factors.
 - 4) Blinds shall not be locked.
 - 5) Claiming or attempting to claim any blind which is legally occupied, and/or harassing, in any manner, the occupants of a blind which has been legally occupied, is unlawful.
 - 6) No person shall fish within 250 yards of an occupied blind within the hunting area.
 - 7) All hunting parties shall hunt over a spread of at least 12 decoys during duck season and Canada goose season. The decoys shall be staked, placed, or floating, be individually visible, be at least 8 inches long, and

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

not be within a boat, blind or container.

- 8) At sites where a manned check station is in operation, hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp at ~~in~~ the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

- 9) [Cutting of vegetation greater than 4 inches d.b.h. will result in loss of the blind for the current allocation period.](#)

d) Public Drawing

- 1) Time and place for all sites holding drawings shall be publicly announced by the Department ~~of Natural Resources~~.
- 2) A registrant for a drawing must be at least 16 years of age and possess a current or preceding year's Illinois hunting license, a current or preceding year's Illinois Migratory Waterfowl Stamp and a current or expired (within 12 months prior to the drawing) Firearm Owner's Identification Card unless exempted by law. Persons exempted by law from possessing a hunting license or waterfowl stamp must have a valid Firearm Owner's Identification Card. Persons who are under 21 years of age who do not have Firearm Owner's Identification Cards must be accompanied by an adult who has a valid Firearm Owner's Identification Card in his possession at the drawing. Applicants must be present for the registration and drawing to be eligible for allocation of blind sites.

e) Flood Rules

In the event that State managed sites are flooded to the point that public waterfowl blinds cannot be constructed or are no longer usable, the Department, by public announcement and/or posting, may permit waterfowl hunting under one of the following rules:

- 1) If the check station for that site is open, all rules apply, except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 2) If the check station is not operable, all rules apply except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site. Additionally, rules listed in Section 590.40(b)(1), (2), (3), (4) and (9) shall not be in force. Rules concerning blind claiming as listed in Section 590.50(b) shall apply.
- 3) If blind sites have not been marked and no check station is operable, the area will be open to hunting from platform, floating or boat blinds or by walk-in hunting, anywhere on the area except refuges and closed waterfowl rest areas. Pre-placement of unattended decoys and/or unoccupied blinds or boat hides do not constitute lawful possession of a hunting site. All hunting parties must remain 200 yards apart and follow normal closing hours for the site.
- 4) In all above flood circumstances, regulations requiring the construction of a separate boat hide and regulations regarding the minimum standards for blind construction shall be suspended for that season.

f) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

a) Sites covered in this Section, which allow hunting by permit only, are:

Banner Marsh Fish and Wildlife Area

Horseshoe Lake Conservation Area

Sangchris Lake State Park subimpoundment

Snakeden ~~Snake Den~~-Hollow State Fish and Wildlife Area

Union County Conservation Area

b) Permit Requirements

- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates and methods for making reservations will be publicly announced. ~~At Sangchris Lake State Park subimpoundment unit, persons~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~previously receiving blind permits will not be allocated another permit until all other applicants who have never received a permit are issued a permit. Persons receiving a blind permit then will have their next year's application placed at the bottom of the applications being processed.~~ Only applications for reservations submitted by Illinois residents will be processed during the first 2 weeks of the application period. Applicants making reservations will be sent confirmation.

- 2) Permits shall be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5/3.8].
- 3) The permit shall be for the use of the entire blind. It shall be the responsibility of the permit holder to bring one hunting partner or one non-hunting partner or 2 non-hunting partners (3 persons per blind but not more than 2 hunters per blind) for ~~Snakeden Snake Den~~ Hollow State Fish and Wildlife Area, Horseshoe Lake Conservation Area, and Union County Conservation Area, or 3 partners (hunters or non-hunters; 4 persons per blind) for Banner Marsh Fish and Wildlife Area and Sangchris Lake State Park subimpoundment. Non-hunting partners are defined as persons under 21 years of age accompanying the hunter in the blind. Unallocated blinds shall be filled by a drawing at the sites.
- 4) Permits are not transferrable.
- 5) Permits will be issued from the Springfield Permit Office for permit-controlled sites. For other information write to:

Illinois Department of Natural Resources
Permit Office - Waterfowl
P.O. Box 19457
Springfield, IL 62794-9457

- c) General regulations
 - 1) All use other than permit hunting as defined in subsection (b)(3) is

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

prohibited at [Snakeden](#) ~~Snake Den~~-Hollow [State Fish and Wildlife Area](#) from October 1 through close of Central Zone Canada goose season.

- 2) Hours, Permits and Stamp Charges
 - A) Hunting hours are from legal opening time until 1:00 p.m., except at Horseshoe Lake [Conservation Area](#) and Union County Conservation Area , which close at 12 noon.
 - B) At [Snakeden](#) ~~Snake Den~~-Hollow [State Fish and Wildlife Area](#) from opening day through November 30, all hunters must register at the check station by 5:00 a.m. Permits are void after 5:00 a.m. From December 1 through December 31, all hunters must register at the check station by 5:30 a.m. Permits are void after 5:30 a.m. From January 1 through the close of goose season, all hunters must register at the check station by 6:00 a.m. Permits are void after 6:00 a.m. At Banner Marsh Fish and Wildlife Area, Horseshoe Lake Conservation Area and Union County Conservation Area hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held to allocate blind sites at all sites. At Sangchris Lake State Park subimpoundment hunters must be checked in 90 minutes before legal hunting hours (2 hours before sunrise). Permits are void after this time.
 - C) A \$15 Daily Usage Stamp must be purchased at [Snakeden](#) ~~Snake Den~~-Hollow State Fish and Wildlife Area, Horseshoe Lake Conservation Area and Union County Conservation Area. Partners between 16 and 20 years of age must pay daily usage stamp fee. Partners under 16 are not required to purchase a daily usage stamp.
 - D) A \$10 Daily Usage Stamp must be purchased at Banner Marsh Fish and Wildlife Area and Sangchris Lake State Park subimpoundment. Non-hunting partners between 16 and 20 years of age must pay daily usage stamp fee. All partners under 16 are not required to purchase a daily usage stamp.
- 3) Hunting shall be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 4) Guns must be unloaded and encased at all times when not hunting.
- 5) The legal hunting season for Union County Conservation Area is the dates of the Southern Quota Zone goose hunting season except that the area shall be closed on Mondays and December 24, 25, 26 and the first weekday after December 26 other than a Monday. (This site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday ~~or a Tuesday~~, pursuant to Section 685.110)
- 6) The legal hunting season for Horseshoe Lake Conservation Area is the dates of the Southern Quota Zone goose hunting season except that the area shall be closed on Mondays, Tuesdays ([except for the Illinois Youth Goose Hunt](#)) and December 24, 25, 26 and the first weekday after December 26 other than a Monday ~~or a Tuesday~~. (This site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday ~~or a Tuesday~~, pursuant to Section 685.110.)
- 7) The legal hunting season at [Snakeden Snake Den Hollow State Fish and Wildlife Area](#) is the dates of the Central Zone goose hunting zone except that the area shall be closed on Tuesdays, Wednesdays, and December 24, 25 and 26.
- 8) The legal hunting season at Banner Marsh [Fish and Wildlife Area](#) is the dates of the [Central](#) ~~central~~-zone duck hunting season.
- 9) The legal hunting season for the Sangchris Lake subimpoundment is the opening day of the Central Zone Duck Hunting Season, Tuesdays, Thursdays and Sundays, and the last day of the Central Zone Duck Hunting Season (on Thursdays blinds will be allocated by a daily drawing at the site pursuant to Section 590.60(b)(32)(B)).
- 10) At Horseshoe Lake Conservation Area, ~~Snakeden Hollow Fish and Wildlife Area~~ and Union County Conservation Area during duck season hunters may possess up to 25 shot shells. When duck season is closed hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit. [At Snakeden Hollow State Fish and Wildlife Area hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.](#)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 11) At Horseshoe Lake Conservation Area and Union County Conservation Area hunters may bring up to 3 dozen decoys per party. No full bodied or supermagnum shell decoys are allowed.
- 12) Hunters without their guns may leave the blind to retrieve crippled waterfowl at Horseshoe Lake Conservation Area and Union County Conservation Area.
- 13) Hunters must be at least 16 years of age (except for the Illinois Youth Goose/Duck Hunt) to draw for a pit or blind. Each person under 16 years of age must be accompanied by a supervising adult.

d) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting

- a) The sites listed in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in parentheses and in the remainder of this Section. Daily hunting hours close at 1:00 p.m. unless otherwise indicated in parentheses below.
 - 1) Anderson Lake Conservation Area - All Management Units (previous years blind builders shall have until February 1 to salvage blind materials)
 - 2) Batchtown (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
 - 3) Calhoun Point (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
 - 4) Glades (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
 - 5) Godar-Diamond (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 6) Horseshoe Lake State Park - Madison County (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset with the exclusion of Christmas Day; 3 year blind allocation)
- 7) Lake DePue and Lake DePue Walk-in Unit (aka 3I)
- 8) Marshall State Fish and Wildlife Area (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, and plastic snow fence or mesh will be prohibited in the construction of waterfowl blinds; previous year's blind builders shall have until February 1 to salvage blind materials)
- 9) Mazonia State Fish and Wildlife Area (previous years blind builders shall have until February 1 to salvage blind materials; goose hunting prohibited before and after duck season; closed Mondays and Tuesdays)
- 10) Rice Lake Conservation Area (previous years blind builders shall have until February 1 to salvage blind materials)
- 11) Sanganois State Fish and Wildlife Area (check station and walk-in areas, hunters are not required to hunt from a blind site during goose seasons held after the duck season)
- 12) Spring Lake State Fish and Wildlife Area (all hunting must be from portable boat blinds within 10 yards of the assigned numbered stake or buoy; no more than 3 persons shall use one blind; exceptions will be announced at the site's annual duck blind drawing; the maximum horsepower limit of motors on the lake is 25 hp; goose hunting prohibited prior to the regular duck season)
- 13) Stump Lake (3:30 p.m. CST closing) (except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)
- 14) Woodford State Fish and Wildlife Area (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, and plastic snow fence or mesh will be prohibited in the construction of waterfowl blinds; previous year's blind builders shall have until February 1 to salvage blind materials)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 15) William Powers Conservation Area (legal closing) (previous years blind builders shall have until May 1 to remove blinds in their entirety, including support posts; failure to comply will result in the blind builder and partners for that blind losing privilege of being a blind builder or partner at this site for the following year; no goose hunting prior to duck season; hunting from boat blinds is permitted within 10 feet of the following numbered marked blind sites: 4, 5, 7, 8, 11, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23; all hunters must check in prior to occupying blind and must check out no later than one hour after legal closing time)
- b) The following regulations apply to all sites listed in this Section under subsection (a):
- 1) All hunters must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. Beginning the day after duck season ends, when the check station is not operating, unclaimed blinds shall be allocated on a first come-first served basis, as per Section 590.50 (b)(1), (2) and (3). Goose hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
 - 2) Registered blind builders or partners desiring to claim their blinds must report to the check station at least one hour before hunting hour each day and occupy that blind for at least one hour. Hunters wishing to move to another blind during their daily hunt must report back to the check station for reassignment.
 - 3) All hunting must be from registered blinds only and hunters must occupy their blinds within one hour after registering at the check station.
 - 4) All hunters must be checked out within one hour of the close of the legal hunting hours. At this time waterfowl and coots bagged must be checked and hunting licenses or Firearm Owner's Identification Cards shall be returned.
 - 5) It shall be unlawful to trespass upon the designated duck hunting area during the 7 days prior to the regular duck season as posted at the site. At Mississippi River Area Pools 25 and 26 and Horseshoe Lake State Park (Madison County) it shall be unlawful to trespass upon the designated duck hunting area between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

season as posted at the site.

- 6) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of regular duck season through the close of regular duck and Canada goose season.
 - 7) No more than 4 persons shall occupy a blind at one time, except on the statewide Youth Waterfowl Hunting Day, as authorized in Section 590.15(f), 5 persons may occupy a blind at one time only if the party is comprised of 2 youth hunters, their non-hunting parents and one non-hunting guide.
 - 8) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
 - 9) During duck season, blinds not claimed by the builder or partners by one hour before hunting time shall be assigned by a drawing at this time and during the hours from 8:00 a.m. to 11:00 a.m., except at Marshall State Fish and Wildlife Area and Woodford State Fish and Wildlife Area, any blinds left unclaimed after completion of the daily drawing will be assigned on a first come-first served basis up to 30 minutes after the drawing and from 8:00 a.m. to 11:00 a.m., and except at Batchtown, Calhoun Point, Glades, Godar-Diamond, Horseshoe Lake State Park (Madison County) and Stump Lake (9:00 a.m. - 1:00 p.m.) after which time the area shall be closed to additional hunters.
 - 10) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After this date, all materials become the property of the new blind builder or the Department.
 - 11) For those sites listed in this subsection that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds non re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.
- c) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting

- a) The following sites conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in the remainder of this Section.

Anderson Lake West Point Management Unit (walk-in or boat; staked sites; daily draw)

~~Blanding Wildlife Area (Federal Lands, boat access only; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters)~~

~~Boston Bay (No permanent blinds may be built; temporary blinds only; 200 yards apart)~~

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed; blinds must be removed in their entirety, including support posts, by May 1; failure to comply will result in the blind builder and partners for that blind losing the privilege of being a blind builder or partner at this site for the following year)

Clear Lake Wildlife Management Area (one year blind allocation)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed; previous years blind builders shall have until February 1 to salvage blind materials)

Fuller Lake (Daily hunting hours close at 3:30 p.m. CST, except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; 3 year blind allocation period)

Fulton County Goose Management Area (Wednesday, Saturday and Sunday hunting only; daily drawing at Rice Lake State Fish and Wildlife Area check station; hunting from staked blind sites only; no other use October 1 through the close of the central zone goose season)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Helmbold Slough (3 year blind allocation period)

Illinois River - Pool 26 (3 year blind allocation period)

Kankakee River State Park (no boat hide required; no goose hunting permitted prior to duck season; previous years blind builders shall have until February 1 to salvage blind materials)

Lake Sinnissippi (Department Owned Land; the use of any metal, with the exception of fasteners less than 12 inches in length, will be prohibited in the construction of waterfowl blinds; waterfowl hunters allocated blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 26, 27, 28, 29, 30, 31 or 32 will have the option to either construct a platform blind (4'x8' with boat hide) or a boat hide blind no less than 6' x 18' in dimension fully enclosed on all four sides, must include 4 shooting holes or ports and brushed (doors capable of being closed are permitted for boat access); hunters choosing to construct a boat hide type of blind will not be required to construct a dog hide; blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 26, 27, 28, 29, 30, 31 and 32 must be removed in their entirety no later than 10 days after the close of the northern zone waterfowl season; blinds may be removed beginning November 15; hunting from boat blinds is permitted within 10 feet of marked blind sites beginning November 15 for those blinds removed on or after November 15)

~~Marshall County Conservation Area—Sparland Unit (Department Owned Land; previous years blind builders shall have until February 1 to salvage blind materials)~~

Marshall State Fish and Wildlife Area – Sparland Unit (the use of any metal, with the exception of fasteners less than 12 inches in length, carpet, and plastic snow fence or mesh will be prohibited in the construction of waterfowl blinds; previous year's blind builders shall have until February 1 to salvage blind materials)

Meredosia Lake (one year blind allocation period) - Rules and Regulations will be publicly announced.

Mississippi River Pool 16 (Federal Lands; no permanent blinds--temporary blinds only above Velie Chute except for Goose Pond, Sunfish Slough, and Milan Bottoms (landward area upriver from River Mile 474); 2 year blind allocation period; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Mississippi River Pool 17 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; 2 year blind allocation period)

Mississippi River Pool 18 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; 2 year blind allocation period)

Mississippi River Pools 21, 22, 24 (Federal Lands; 2 year blind allocation period)

Mississippi River Pools 25, 26 (Federal Lands; 3 year blind allocation period)

Momence Wetlands (Hunting allowed from a portable blind or anchored boat blind only; no more than 3 persons per blind site; no hunting during firearm deer seasons)

Pekin Lake State Fish and Wildlife Area (all hunting must be from portable boat blinds within 10 yards of the assigned numbered stake or buoy; no more than 3 persons shall use one blind; exceptions will be announced at the site's annual duck blind drawing; ~~the maximum horsepower limit of motors on the lake is 25 hp;~~ goose hunting prohibited prior to the regular duck season)

Piasa Island (3 year blind allocation period)

Quincy Bay (Mississippi River Pool 21) (hunting hours legal opening to 1:00 p.m. for blinds 1 through 25 only)

Red's Landing (3 year blind allocation period; that portion of Red's Landing that is north of the access road will be noted as a walk-in/boats without motors area only; no permanent blinds; daily hunting hours will close at 3:30 p.m. CST, except the last 3 days of duck season and the last 3 days of regular Canada goose season shall close at sunset; hunting parties shall not hunt over less than 12 decoys nor more than 24 decoys)

Redwing Slough/Deer Lake (closed on Mondays, Tuesdays, Thursdays and Fridays except that hunting will be allowed on opening day of duck season; no goose hunting except during duck season; previous years blind builders shall have until February 1 to salvage blind materials; daily hunting hours will close at 1:00 p.m.)

Redwing Slough/Deer Lake State Natural Area (hunting from boat blinds is

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

permitted within 10 feet of marked blind sites)

Rice Lake, Walk-in Management Unit, Copperas Creek Management Unit and Big Lake Management Unit (Walk-in or boats without motors only; daily drawing; daily hunting hours will close at 1:00 p.m.)

Riprap Landing (3 year blind allocation period; that portion of Riprap Landing that is south of blind 5, known as Rust Land Company, will be noted as a walk-in; boats without motors in area only; no permanent blinds; hunting parties shall not hunt over less than 12 decoys or more than 24 decoys; decoys must be picked up daily; no vehicles allowed)

Shabbona Lake State Recreation Area (Hunting will be allowed between November 1 and December 31 but only when the North Zone Canada goose season is open; permanent, pre-constructed blinds will be awarded for either November or December; boat and dog hides are not required; persons awarded blinds at the drawing, or their partners, must claim their blinds one hour before legal shooting hours; hunting hours will end at 1:00 p.m. daily)

Starved Rock State Park (Department managed areas; the use of any metal, with the exception of fasteners less than 12 inches in length, will be prohibited in the construction of waterfowl blinds; all blinds must be removed in their entirety no later than 10 days after the close of the Central Zone duck season; blinds may be removed beginning November 15; hunting from boat blinds is permitted within 10 feet of marked blind sites beginning November 15 for those blinds removed on or after November 15; hunting from boat blinds within 10 feet of marked blind sites is allowed until the end of the regular Central Zone Canada goose season)

- b) The following regulations apply to all sites listed in this Section under subsection (a).
- 1) Blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first come-first served basis.
 - 2) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 3) All hunting must be from registered blinds only unless otherwise noted in parentheses under subsection (a).
 - 4) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
 - 5) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After that date, blinds become the property of the new blind builders.
 - 6) No more than 4 persons shall occupy a blind at one time, except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area.
 - 7) On Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area the limit of 4 persons does not apply.
 - 8) For those sites listed in subsection (a) that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.
 - 9) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges 2 weeks prior to the start of regular duck season through the close of regular duck and Canada goose season as posted at the site.
 - 10) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the waterfowl season as posted at the site. At Mississippi River Area Pools 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding the opening date of waterfowl season through the day before waterfowl season as posted at the site.
- c) Blind winners on the following sites will be provided forms for the purpose of maintaining waterfowl harvest records. The forms must be completed and returned within 15 days after the close of the site's waterfowl season or the blind

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

builder and partners for that blind shall not be allowed to be a blind builder or partner at these sites for the following year.

Chain O'Lakes State Park

Clear Lake Wildlife Management Area

Des Plaines Conservation Area

Kankakee River State Park

Pekin Lake State Fish and Wildlife Area

Redwing Slough/Deer Lake

- d) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

The sites listed in this Section conform to Statewide Regulations (Section 590.10) and the following regulations, except as noted.

a) Regulations

- 1) Hunting hours are from legal opening to 1:00 p.m., except hunting shall be permitted until sunset on those sites indicated by (1) following the location in subsection (b).
- 2) No permanent blinds allowed, [except for Department constructed blinds](#); all blinds must be of a portable nature and constructed with natural vegetation at the blind site and no pits can be dug. All materials must be removed or dismantled at the end on the day's hunt.
- 3) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of the day's hunt.
- 4) Waterfowl hunters must maintain a distance of 200 yards between hunting parties, [except for Department constructed blinds or staked locations](#).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 5) No hunting is permitted within 200 yards of developed recreation areas, public use facilities, and construction or industrial sites.
 - 6) No check station is operated nor is any check in/check out required, except as indicated in the remainder of this Section.
 - 7) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of regular duck season through the close of regular duck and Canada goose season except as indicated in the remainder of this Section.
 - 8) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the regular duck season unless otherwise posted at the site.
- b) Site specific regulations
- 1) [Blanding Wildlife Area \(federal lands, boat access only; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters\)](#)
 - 2) [Boston Bay \(no permanent blinds may be built; temporary blinds only; 200 yards apart\)](#)
 - ~~3)1)~~ Cache River State Natural Area (1)
 - ~~4)2)~~ Campbell Pond Wildlife Management Area (1)
 - ~~5)3)~~ Carlyle Lake Project Lands and Waters
 - A) No one may enter the subimpoundment area to hunt waterfowl before 4:30 a.m. each day of the waterfowl hunting season, or remain in the area after 3:00 p.m. each day of the waterfowl hunting season, except during the last 3 days of the Canada goose season and during any goose seasons that occur before or after Canada goose season, hunters must be out of the area by one hour after sunset and not return until 4:30 a.m. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

and within the impoundments on the East Side Management Area located east of the Kaskaskia River.

- B) The waters of Carlyle Lake are defined as the lake and that portion of the Kaskaskia River, northfork, eastfork, Peppenhorst Branch and Allen Branch north of the buoys only, and Hurricane Creek that are within the boundaries of the Carlyle Lake property.
- C) Walk-in hunting shall be permitted in subimpoundment areas. Boats with no motors are allowed in the subimpoundments. Department ~~of Natural Resources~~ personnel will designate boat launching locations.
- D) When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department ~~of Natural Resources~~ personnel shall post that the area is open to boats with motors of 10 ~~hp~~HP or less and will designate boat launching locations.
- E) Known eagle protection areas will be posted by the Site Superintendent and will be closed to waterfowl hunting.
- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season and during any goose seasons that occur after Canada goose season, decoys shall not be left out unattended or later than one hour after sunset.
- G) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest accessible registration box. All hunters must sign out and record their harvest daily before they exit the area.
- H) The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only.
- I) During the last 3 days of Canada goose season and during any goose seasons that occur after Canada goose season, hunting hours shall close at sunset daily.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- J) The following rules apply to North Allen Branch Waterfowl Management Area (Eldon Hazlet State Park) only
- i) Three designated blind sites are available on a first come-first served basis. Walk-in hunting only is permitted with a maximum of 4 hunters per site. All hunting must be from one blind site located between identically numbered stakes.
 - ii) Hunters must sign in prior to hunting, and sign out and report their harvest at the end of each day. All hunters must be checked out by 2:00 p.m. daily, except the last 3 days of the Canada goose season, and during any goose seasons that may occur after the Canada goose season, hunters must be checked out by one hour after sunset.
 - iii) Decoys shall not be left out unattended.
 - iv) When the lake floods this area and designated blind sites are not usable for walk-in hunting, the Department, by public announcement and/or posting, will open the affected area to hunting from boats per Carlyle Lake Project Lands and Waters' rules.

~~6)4~~ Chauncey Marsh (1)

Permit required, may be obtained at Red Hills State Park Headquarters and must be returned by February 15.

~~7)5~~ Clinton Lake (1)

- A) Hunters must obtain a free site hunting permit and windshield card from the site office prior to hunting. While hunting, the windshield card must be visible in the windshield with the permit number clearly visible. Site hunting permits must be in the hunter's possession while in the field. Hunters must return the permit and report harvest by February 15 of the following year, or hunting privileges for the following season shall be forfeited.
- B) Except as described in subsections (b)(5)(C) and (D), hunting is allowed only from anchored portable blinds, except that no waterfowl hunting is permitted in the area extending from a line

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge.

- C) Waterfowl hunting is also permitted from staked sites in designated areas on a first come-first served basis. Walk-in or boat hunting only. Hunting parties must hunt within 50 yards of a staked site. No more than 4 hunters per party are permitted.
- D) Hunting is permitted from permanent land-based Disabled Hunting Program blinds.
- E) Each party must hunt over a minimum of 12 decoys. Decoys must be removed from the sites following each day's hunt. Decoys must not be left unattended.
- F) Except for the Handicap Hunting Program facilities, blinds must be portable or built from material brought in or available at the blind site. Blinds must be dismantled and removed at the end of each day's hunt. No trees or bushes may be cut.

8) ~~6~~

Coffeen Lake State Fish and Wildlife Area

- A) Hunters must sign in prior to hunting and sign out, reporting harvest at the end of each day.
- B) Hunting from staked sites only.
- C) No permanent blinds.
- D) Hunting by boat access only.
- E) No cutting vegetation on site.
- F) Hunting north of railroad tracks only.
- G) Hunting hours from legal opening to 1 p.m. Fishing allowed between the railroad tracks and the county road after 1:00 p.m.
- H) Four hunters per blind site.
- I) No hunting during firearm deer seasons.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

J) All hunters must be checked out at sign in box by 2:00 p.m.

~~9)7)~~ Cypress Pond State Natural Area (hunters must sign in prior to hunting and sign out reporting harvest at the end of each day) (1)

~~10)8)~~ Dog Island Wildlife Management Area (1)

Hunters must sign in prior to hunting and sign out reporting harvest at end of each day.

~~11)9)~~ Donnelley State Wildlife Area

- A) Hunting is prohibited on Tuesdays and Wednesdays except open on opening day and on the first Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 except as indicated in Section 590.25.
- B) Goose hunting is prohibited after the close of the duck season.
- C) All hunting shall be from designated blinds only. Re filling or changing blinds is not permitted.
- D) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.
- E) A hunter may bring one or 2 hunting partners under the age of 21.
- F) \$10.00 daily usage stamp must be purchased to hunt this area. Non-hunting partners between 16 and 20 years of age must pay daily usage stamp fee. Non-hunting partners under 16 are not required to purchase a daily usage stamp.
- G) No outboard motors are allowed by public - only by authorized DNR personnel.
- H) No more than 3 persons shall occupy a blind at any one time.
- D) All parties are required to report to check station within one hour after termination of hunt or no later than 2:00 p.m.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys can be used, which must be removed upon the termination of the hunt.
- K) The first weekend and the third Saturday of the regular duck season shall be designated as youth hunt days. This shall consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
- L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).

12)10) Fort de Chartres Historic Site (1)

- A) Hunting is allowed from anchored, portable boat blinds only on a first come-first served basis.
- B) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.
- C) No hunting is allowed during firearm deer season.

13)11) Fox Ridge State Park (1)

Hunting restricted to Embarras River and its flood waters.

14)12) Fox River (1)

- A) Waterfowl hunting is prohibited on that portion of the Fox River running from the Kendall-Kane County line downstream to a line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive.
- B) Waterfowl hunting shall be from Department designated sites only on that portion of the Fox River downstream from the line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive downstream to the Fox River Drive Bridge. Hunting at the designated sites will be on a first come-first served

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

basis. Statewide regulations shall be in effect with no other Sections of this Part being applicable.

~~15)13)~~ 15)13) Fox River - Chain of Lakes (Lake and McHenry Counties) (1)

Waterfowl blind regulations promulgated in accordance with the Illinois Administrative Procedure Act [5 ILCS 100] under the authority of the Fox Waterway Agency are in full force and effect on those public waters under their jurisdiction. Failure to comply with such regulations constitutes a violation of this Section. Statewide regulations shall be in effect with no other Sections of this Part applicable.

~~16)14)~~ 16)14) Freeman Mine

Hunting regulations will be publicly announced.

~~17)15)~~ 17)15) Heidecke State Fish and Wildlife Area, Braidwood Fish and Wildlife Area and Powerton Lake

- A) Blind sites shall be allocated on a daily draw basis conducted at the check stations 60 minutes before hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than 3 hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
- B) Blind sites not selected during the drawing shall be allocated on a first come-first served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be allocated after 10:00 a.m. Hunters wishing to move to another blind site must report this move to the check station attendant in person before such a move.
- C) Access to water blind sites must be by boat only and from designated boat launch sites.
- D) All hunting must be from portable boat blinds, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- E) Upon vacating blind sites, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.
- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.
- G) Heidecke Lake and Braidwood Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to regular duck season until the close of the regular duck and Canada goose season. Powerton Lake shall be closed to boat traffic from 7 days prior to opening of regular duck season until February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the regular duck season.
- H) No hunting on Monday and Tuesday at Heidecke and Braidwood Lakes. No hunting at Powerton Lake on Monday through Thursday except hunting permitted on State holidays.
- I) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam and without a gas-powered motor.
- J) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
- K) Hunting is closed on Christmas Day and New Year's Day.
- L) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.
- M) It is unlawful to shoot across any dike.
- N) Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke and Braidwood Lakes, waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~18)46)~~ [Horseshoe Lake \(Alexander County\) Public Hunting Area](#)

- A) Closed to waterfowl hunting on Mondays and Tuesdays.
- B) When duck season is closed, goose hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.

~~19)17)~~ [Horseshoe Lake Refuge \(no hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15 to March 1\)](#)[20\) Horseshoe Lake State Park \(Madison County\) – Gabaret, Mosenthein, Chouteau Island Unit \(site permit required\)](#)~~21)48)~~ [Kaskaskia River Fish and Wildlife Area \(only the last 3 days of duck season and the last 3 days of the regular Canada goose season\) \(1\)](#)

- A) No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal hunting hours shall be from statewide opening hour until statewide closing hour.
- B) All waterfowl hunting parties must use at least 12 decoys. Hunting is allowed on a first come-first served basis.
- C) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.
- D) All waterfowl hunters must register prior to hunting each day of the waterfowl season at the nearest check station, and must sign out and record their harvest daily before they exit the area.
- E) The following regulations apply to the Doza Creek Waterfowl Management Area:
 - i) No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
 - ii) Only waterfowl, coot, archery deer and fall archery turkey

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

hunting (as provided by 17 Ill. Adm. Code 670 and 720) allowed in this area during the duck hunting season; goose hunting is closed during the second firearm deer season if the second firearm deer season occurs after duck season.

- iii) For the first 4 days of the duck season, all waterfowl hunting must occur within 10 yards of an assigned, numbered stake, and only one hunting party may occupy a staked site at any given time. Starting on day 5 and for the remainder of the waterfowl season, hunting is allowed on a first come-first served basis and hunting need not occur by a stake. Waterfowl hunters must maintain a distance of 200 yards between hunting parties.
 - iv) A drawing for stake allocation will be done at the site office by mail no later than 4 weeks before the opening day of duck season. The application deadline and procedure will be publicly announced. Hunters who wish to hunt together at a staked location must register as a hunting party. Only 4 persons shall be in a hunting party. Only those persons in that party may hunt at the assigned stake. No later than 2 weeks prior to duck season, at least one person from each of the hunting parties drawn should appear at the site office to choose a staked site in the order that the hunting parties were drawn.
- F) Handicapped accessible waterfowl hunting blind (Dry Lake Access Area)
- i) Application for hunting dates should be received at the site office September 1-10 and will be allocated on a first request basis or via a drawing, if needed.
 - ii) Three hunters are allowed in the blind. At least one hunter must have a P-2 handicapped certification.
 - iii) Hunters must sign in/out and report harvest at check station after hunting.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- A) Hunting permitted only from staked sites. Sites will be allocated by daily drawing at the designated check in. Registration will be from 4:30 a.m. to 5:00 a.m. each day. The drawing will be held immediately after registration period.
- B) Hunters must register and hunt as parties. No more than 4 hunters per party are permitted. Parties will select blind sites in the order they are drawn. No non-hunting partners.
- C) Staked sites not selected during the drawing shall be allocated on a first come- first served basis.
- D) Upon vacating their blinds, all hunters must take their completed harvest cards, site issued daily, and place them in the collection box at the designated check station.
- E) Each hunting party must hunt over a minimum of 12 decoys.
- F) Waterfowl hunting is permitted only during the first seven weekdays of the November portion of the Central Zone Canada Goose Season.
- G) Hunting from staked sites only. Hunting must be within 10 feet of the staked location. All hunting must be from one portable blind or one anchored boat blind. Electric motors only for all boats.
- H) Blind material must be brought in and taken out each day. No vegetation may be cut at the site.
- D) Hunting hours are from legal opening to 1:00 p.m. Hunters must be out of the field by 2:00 p.m.
- J) Hunters wishing to move to another vacant blind location may do so on a first come-first served basis, provided they include the blind change on the harvest card and report their harvest for each blind. If hunters do not occupy the stake they have drawn by legal shooting time, they forfeit the right to the stake hunting location.

~~23)19)~~ Kinkaid Lake Fish & Wildlife Area (1)

~~20) Lake Shelbyville (except for land/waters covered in subsection (b)(21) of~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~this Section) (1)~~

~~24)24)~~ Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area

- A) Waterfowl hunting shall be permitted as described below except in duly posted restricted and "No Hunting" areas.
- B) Waterfowl hunting in the Fish Hook, the North Dunn, the McGee, and the Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Parties must register for drawings between 3:00 a.m. and 4:00 a.m. Central Standard Time at the check station on those days. Each party drawn shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations shall apply:
 - i) All parties must hunt within 10 yards of their assigned stake.
 - ii) All parties must be in place by 1/2 hour before hunting time.
 - iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
- C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first come-first served basis except as noted in subsections (b)(21)(A) and (B). Hunting in the Fish Hook Area shall be restricted to designated, staked sites on a first come-first served basis until the opening of the Illinois southern zone duck season, except as noted in subsections (b)(21)(A) and (B). A hunting party must hunt within 10 yards of the stake.
- D) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- E) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.
- F) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.
- G) During the regular waterfowl season, only licensed waterfowl hunters with valid site waterfowl permits who are in the pursuit of waterfowl are permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from 1/2 hour before sunrise until 1:00 p.m.
- H) A free permit is required, which is obtained from the site office. Permits must be in possession while hunting waterfowl. The permit must be returned and harvest reported by February 15 or the hunter will forfeit his hunting privileges at this site for the following year.

~~25)22)~~ Marshall State Fish and Wildlife Area - Duck Ranch Unit Only

- A) On days open to hunting, blind or staked sites shall be allocated by a random drawing held at Marshall State Fish and Wildlife Area (MSFWA) check station, 5 miles south of Lacon on S.R. 26. The drawing will be conducted 60 minutes prior to legal shooting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select hunting blinds in the order drawn. No more than 4 hunters per party; only registered party members shall be allowed to hunt in the party's blind.
- B) Blinds or staked sites not selected during the drawing shall be allocated on a first come-first served basis. Vacant staked sites shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be allocated after 11:00 a.m. Daily hunting hours will close at 1:00 p.m.
- C) All hunting must be from a designated blind or staked site. Refilling or changing blinds or staked sites is not permitted.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- D) Hunters are required to report their harvest at the end of the day's hunt on a harvest card located in the blind. Hunters are not required to report back to the MSFWA check station.
- E) No hunting on Monday, Wednesday, or Friday.

~~26)23)~~ Mermet

- A) Waterfowl hunting shall be permitted only during the duck hunting season.
- B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds shall be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification Cards.
- C) The daily drawing shall be held one hour prior to legal opening time.
- D) All members of the hunting party shall register as a group (not to exceed 4 persons per group, except on the statewide Youth Waterfowl Hunting Day, as authorized in Section 590.15(f), 5 persons may occupy a blind at one time only if the party is comprised of 2 youth hunters, their non-hunting parents and one non-hunting guide) for the purpose of the drawing.
- E) Those hunters in the blind area shall park in designated areas. These parking areas shall be numbered to correspond with particular blind sites located along the levee road.
- F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.
- G) Boats without motors may be used in the walk-in areas.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- H) No hunting Christmas Day, Sundays and Mondays in the blind area.
- D) Hunting hours are from legal opening to 12 noon.

27~~24~~ Newton Lake Fish and Wildlife Area

- A) Blind sites shall be allocated by a daily drawing to be conducted at 4:30 a.m. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct drawing) shall be allocated on a first come-first served basis until one hour before shooting time; and then after 9:00 a.m. All hunters must register before entering the hunting area.
- B) Upon vacating their blinds, all hunters must place their completed harvest cards in the collection box located at the boat ramp.
- C) There will be duly posted waterfowl refuges. These areas shall be closed to all boat traffic and boat fishing during the waterfowl season.
- D) No more than 4 persons shall occupy a blind at one time.
- E) The west arm of the lake shall be closed to all waterfowl hunting.
- F) Blind sites shall be determined by the Department of Natural Resources and marked with numbered stakes. When it is deemed necessary, the Department shall remove, move or close blind sites in order to carry out the operations of the overall management program.
- G) Hunters wishing to move to another vacant blind location may do so on a first come-first served basis, providing they include the blind change on the harvest card and report their kill for each blind. If hunters do not occupy the stake they have drawn by legal shooting time, they forfeit the right to the staked hunting location.
- H) Access to blind sites shall be by boat only and from the west side boat ramps.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- I) All hunting must be from one portable blind or one anchored portable boat blind located between the assigned numbered stakes, no more than 10 yards from shore.
- J) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- K) Blind site: A position between 2 like numbered stakes where a blind may be located.
- L) Fishing shall be prohibited in the east arm of the lake during the waterfowl season.
- M) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.
- N) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- O) This site is closed to all users except firearm deer hunters during the firearms deer seasons.

[28\)](#)~~25)~~ Oakford Conservation Area (1)

[29\)](#)~~26)~~ Pyramid State Park - Captain Unit (hunting regulations will be posted at the site)

[30\)](#)~~27)~~ Pyramid State Park - Denmark Unit (hunting regulations will be posted at the site)

[31\)](#)~~28)~~ Pyramid State Park - East Conant Unit (hunting regulations will be posted at the site)

[32\)](#)~~29)~~ Pyramid State Park - Galum Unit (hunting regulations will be posted at the site)

[33\)](#)~~30)~~ Ray Norbut State Fish and Wildlife Area (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Statewide season regulations apply except that the season closes December 15 in Eagle Roost Area, or the legal statewide closing, whichever is earlier.

~~34)~~ 34) Rend Lake Project Lands and Waters

- A) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, and during any goose season occurring after the Canada goose season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.
- B) No hunting permitted from the subimpoundment dams.
- C) While waterfowl hunting, no one may have in his/her possession any tool or device designed to cut brush or limbs, except common hunting knives and pocket knives.
- D) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.
- E) All boat traffic is prohibited from entering the subimpoundments from one week before waterfowl season until opening day of waterfowl season.
- F) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
- G) Air boats will not be allowed in the Casey Fork Subimpoundment, the Bug Muddy Subimpoundment, and the impoundments on Corps of Engineers' managed areas such as Atchison Creek and Gun Creek during the regular duck and Canada goose seasons. When ice conditions do not allow access at boat ramps by normal watercraft, then air boats can be used in the Casey Fork and Big Muddy Subimpoundments.
- H) ~~G)~~ Permanent blinds at the Whistling Wings Access Area shall be regulated as follows:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- i) During goose season, a separate drawing will be held for the pits at Whistling Wings. This drawing will be held at the Cottonwood check station following the drawing for staked hunting sites. Hunters may not register for more than one drawing per day. Unsuccessful hunters in the drawing for Whistling Wings pits may select any unclaimed staked location after the drawings.
- ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.
- iii) All hunters must have the registration card from the check station in their possession while hunting.
- iv) Hunters must occupy the pit they have drawn by legal shooting time. If a pit is not occupied by legal shooting time, another party who has registered at the check station may occupy the unclaimed pit.
- v) No more than 6 dozen decoys may be used per pit.
- vi) No more than 4 hunters will be allowed in a pit or hunting party.

~~DH~~ Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.

~~JD~~ During the last 3 days of Canada goose season and during any goose seasons occurring after Canada goose season, hunting hours shall close at sunset daily.

~~KJ~~ The land portion of the Rend Lake Refuge is closed to trespassing during waterfowl season. The location of the Rend Lake Refuge is described as follows:

- i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
- ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
- iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
- v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
- vi) Bounded on Nason Point by refuge boundary signs at project limits.

~~L)K)~~ After the close of regular duck season, goose hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.

~~M)L)~~ Staked Hunting Areas - Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:

- i) All hunting must occur within 10 yards of an assigned, numbered stake except for stakes identified at the check station where hunters may hunt from any place in the field in which the stake is located and only one hunting party may occupy a staked site at any given time.
- ii) Stakes will be assigned via a daily drawing held at 4:00 a.m. during November, 4:30 a.m. in December and 5:00 a.m. in January. Check stations will be open from ½ hour before drawing time to 9:30 a.m daily.
- iii) Check station at the Bonnie Dam Access Area will be operated on a daily basis through the second weekend of the waterfowl season. Thereafter, Bonnie Dam check station will only be open on weekends and holidays as posted at the check station. Cottonwood Access Area will be operated on a daily basis throughout the waterfowl season for both Bonnie Dam and Cottonwood Hunting areas. Hunters who wish to hunt together at a staked location must register as a hunting party and be present for

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

the drawing. Only those persons in that party may hunt at the assigned stake. No more than 5 persons shall be in a hunting party.

- iv) Hunters arriving at the check station after the draw may enter the staked area only if it is one hour prior to shooting time or between 9:00 a.m. and 9:30 a.m. All hunters must register at the check station.
- v) When a staked hunting location is vacated by a hunting party any other registered hunting party may claim the vacant stake on a first come-first served basis. If hunters do not occupy the stake they have drawn by legal shooting time, they forfeit the right to the staked hunting location.
- vi) When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
- vii) Hunters must sign in and out and report their harvest on the cards at the access area where they launch.

~~35)32)~~ Saline County Conservation Area (1)

- A) Waterfowl hunting is allowed north of the township road only.
- B) Walk-in hunting only.
- C) Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.

~~36)33)~~ Sand Ridge State Forest (Sparks Pond Land and Water Reserve) (1)

- A) Hunting is permitted on Tuesdays and Saturdays during the duck season. Permits are issued on a first come-first served basis.
- B) Two hunters are allowed per blind. At least one hunter must have a P-2 handicapped certification.
- C) Hunters must report harvest to site office.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

37)~~34)~~ Sanganois State Fish and Wildlife Area

- A) Hunters using the main walk-in hunting area from opening day of the Central Zone duck season through the first Sunday of the Central Zone duck season must have a permit issued from the site office. Procedures for issuance of permits will be publicly announced.
- B) Hunters using the walk-in areas shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.
- C) Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.
- D) All hunters using a walk-in area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.
- E) Topper's Hole is a walk-in area accessed by boat only, no check-in, check-out, no permanent blinds, hunting parties must stay at least 200 yards apart, hunting parties shall hunt over no less than 12 decoys, daily hunting hours are legal shooting hours through 1:00 p.m. CST.
- F) The Baker tract is a daily-draw walk-in area with 4 separate hunting compartments. One party of hunters (up to 4 hunters per party) will be permitted to hunt in each hunting compartment. The allocation of the 4 Baker tract hunting compartments will be by daily draw as part of the site's daily draw vacant blind allocation. Parties must register for the draw together on the same card.
- G) Upon the completion of hunting, hunters must report to the check station within one hour.
- H) Fishing is prohibited in the impoundment areas during the duck season, except that walk-in only access for fishing from the bank is permitted after 1:00 p.m.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- I) No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season.
- J) No person shall trespass on the Marion-Pickerel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.
- K) When the central zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide hunting hours in effect. Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.
- L) No hunting permitted from the walk-in areas subimpoundment levee.
- M) Hunters may use boats without motors in the walk in area; the construction and/or use of permanent blinds in the walk in area is prohibited.

38~~35~~ Sangchris Lake State Park

- A) During the last 3 days of the regularly scheduled Canada goose season, hunting hours will close at statewide closing.
- B) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first come-first served basis. (During that portion of the Canada goose season which follows the duck season, the west side goose pit area, the west arm blind sites and east arm blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)
- C) During that portion of the light goose season which follows the regular Canada goose season, the west-side goose pit area blinds, subimpoundment blinds, and designated fields west of the west boat ramp shall be available daily on a first come-first served basis.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Hunters must sign in at the appropriate parking area no earlier than 5 a.m.

- D) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.
- E) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.
- F) There will be duly posted waterfowl refuges. These areas shall be closed to all boat traffic (except as allowed in subsection (b)(34)(J) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted.
- G) No more than 4 persons shall occupy a blind at one time.
- H) The center arm of the lake shall be closed to all waterfowl hunting.
- I) Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the operations of the overall management program.
- J) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.
- K) Access to water blind sites shall be by boat only and from designated boat launch sites. Blinds on the peninsula subimpoundment shall be accessed on foot once the hunter has reached the peninsula by boat. Corridors located along the edges of the existing refuge will be established to provide access to all available blind sites as designated by site superintendent when conditions warrant.
- L) All hunting must be from one portable blind or 1 anchored portable boat blind located within a numbered cove and between the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

assigned numbered stakes or from one Department designated blind or pit.

- M) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- N) No unauthorized pits or blinds shall be built on State managed land.
- O) Blind sites: A position between 2 like numbered stakes within a cove or other Department designated site where a blind may be located.
- P) Fishing shall be prohibited in the east and west arms of the lake during the period from ~~10~~14 days prior to the duck season through the end of the duck season unless the youth waterfowl hunt is more than 10 days before the regular duck season, then the east and west arms will be closed to accommodate the youth waterfowl hunt. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season.
- Q) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt (except at peninsula subimpoundments where only Department decoys may be used).
- R) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- S) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. Decoys must be removed at the end of each day's hunt.
- T) West-side goose pit area blinds will be available every day each week except Tuesday and Wednesday, through the regular Canada goose season, except for the Tuesday and Wednesday preceding the last day of the Canada goose season.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- U) Hunters in the west-side goose pit area may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit after the close of the Central Zone duck season.

~~39)36)~~ Shawnee National Forest, Upper and Lower Bluff Lakes

Goose hunting is prohibited at Lower Bluff Lake.

~~40)37)~~ Shawnee National Forest, LaRue Scatters

All hunting must be by walking in or in boats without motors.

~~41)38)~~ Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)

- A) All hunting must be by walking into the area.
- B) Each hunting party must hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.
- C) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the sub-impoundment area.

~~42)39)~~ Sielbeck Forest Natural Area (1)

~~43)40)~~ Stephen A. Forbes State Park

- A) On the main lake hunting is allowed from a boat blind only in the designated areas.
- B) Only walk-in hunting is allowed in the sub-impoundment.
- C) Hunting shall be allowed on a first come-first served basis. All hunters must use 12 decoys, minimum.

~~44)41)~~ Ten Mile Creek Fish and Wildlife Area (1)

- A) Waterfowl hunters must obtain permits prior to hunting. Permits must be returned by February 15.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- B) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- C) Areas designated as Rest Areas are closed to all access during the Canada Goose Season only. Rest Area designation has been given to that part of the Belle Rive unit that lies south of Auxier Creek and is posted as Rest Area, and the 250 acre tract at the Western edge of the Eads Mine unit.
- D) After the close of duck season, goose hunters in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.

~~45)42)~~ Turkey Bluffs State Fish and Wildlife Area (All hunters must sign in and out and report kill) (1)

~~46)43)~~ Union County (Firing Line Waterfowl Management Area)

- A) Blind sites shall be allocated on a daily draw basis at the site shop building 60 minutes prior to hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select a blind site in order drawn; only those hunters registered in a party shall be allowed to hunt with their party; no less than 2 hunters and no more than 4 hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
- B) Blinds not allocated during the drawing will not be hunted that day. Moving from blind to blind is not allowed.
- C) Access to blind sites is from Clear Creek Levee only.
- D) All hunting must be from assigned blinds or within 30 feet of the assigned, numbered, hunter stake site.
- E) Each hunting party must hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- F) Hunting hours end at 1:00 p.m. and all hunters must be out of the area by 2:00 p.m. Daily entry into the area is restricted until after the drawing for hunting sites.
- G) When duck season is closed, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 590.80 Early and Late Goose (all species) Hunting Regulations on Department Sites

- a) During goose hunting seasons that begin before or extend beyond the regular duck season, statewide regulations and site specific regulations for goose hunting, as indicated in Sections 590.40, 590.50 and 590.60, shall apply to all sites (except those closed in subsections (c), (d) and (e)) with the following exceptions:
 - 1) Check in and check out (or sign in and out) is required only at sites with an asterisk (*).
 - 2) No fees will be charged for hunting for seasons before duck season or for seasons after the regular Canada goose season.
 - 3) No sites are closed to fishing during seasons before the regular duck season or for seasons after the regular Canada goose season.
 - 4) Hunting from a completed blind or staked site is waived during seasons held before the regular duck season or for seasons held after the regular Canada goose season at sites marked with an @.
 - 5) Hunting from a staked site (blind need not be completed) is required during seasons held before the regular duck season at sites marked with a #.
 - 6) During goose seasons held prior to regular duck season, no hunting is allowed in designated dove management fields or within 100 yards of such fields.
 - 7) During goose seasons held after the Canada goose season all restrictions regarding the use of decoys or the number of shotgun shells that hunters can possess are no longer in force.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 8) During goose seasons held after Canada goose season, statewide hunting hours apply.
- b) The following sites will be open to all goose hunting seasons:
- Blanding Wildlife Area @
- Cache River Natural Area *
- Carlyle Lake Project Lands and Waters, including North Allen Branch Waterfowl Management Area (no early goose hunting east of Kaskaskia River from Cox's Bridge Access north to the Department's boundary line) *
- Chain O'Lakes State Park #
- Chauncey Marsh (permit required, available at Red Hills State Park)
- Des Plaines Conservation Area #
- Dog Island Wildlife Management Area *
- Fort de Chartres Historic Site
- Horseshoe Lake State Park (Madison County) (blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day; attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest; the insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind ~~snow goose season closes February 28~~) # *
- Kaskaskia River State Fish and Wildlife Area (Baldwin Lake Waterfowl Rest Area is closed to hunting)*
- Kinkaid Lake Fish and Wildlife Area
- Lake Shelbyville (except West Okaw and Kaskaskia Fish and Wildlife Area; season opens with teal season)
- Marshall State Fish and Wildlife Area - Sparland and Duck Ranch Units@
- Marshall State Fish and Wildlife Area - Spring Branch and Marshall Units * @

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Meredosia Lake

Mississippi River State Fish and Waterfowl Management Area (Pools 25 and 26) (no hunting is allowed in the designated Batchtown Waterfowl Rest Area; blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day; attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest; the insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind) @

Mississippi River Pools 16, 17, and 18 @

Mississippi River Pools 21, 22, and 24 @

Oakford Conservation Area

Rend Lake Project Lands and Waters @

Saline County Conservation Area *

Sanganois State Fish and Wildlife Area *@

Shawnee Forest, LaRue Scatters

Shawnee Forest, Oakwood Bottoms

Shawnee Forest, Upper Bluff Lake

Ten Mile Creek Fish and Wildlife Area (permit required; rest areas open to hunting during goose season before and after the regular goose season)

Turkey Bluffs State Fish and Wildlife Area *

Woodford Fish and Wildlife Area * @

- c) The following sites will be open to any goose hunting seasons that occur before the regular duck season through the end of the regular Canada Goose season:

Anderson Lake (closed after regular duck season) * @

Coffeen Lake State Fish and Wildlife Area (hunting north of County Road N6th

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

only; no fishing north of County Road N6th during this season) * #

Clinton Lake State Recreation Area (hunting will be in designated walk-in areas only; boat blinds allowed where hunting will be within 50 yards of a staked site; free site permit required; no hunting within 200 yards of developed areas, construction zones and 300 yards of electrical power lines; no more than 4 persons per blind and a minimum of 12 decoys must be used)

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area (must have site specific permit; season opens with teal season)

Ray Norbut State Fish and Wildlife Area *

Rice Lake (season opens with teal season; sunrise until 1:00 p.m.; closed after regular duck season) * @

- d) The following sites will be open to all goose hunting during any Canada goose hunting seasons that occur after the regular duck season:

Banner Marsh * @

Braidwood State Fish and Wildlife Area *

Heidecke State Fish and Wildlife Area *

Kankakee River State Park

Lake DePue Fish and Wildlife Area *

Lake Sinnissippi Fish and Wildlife Area

Newton Lake Fish and Wildlife Area *

Pekin Lake Fish and Wildlife Area

Spring Lake Fish and Wildlife Area (hunting from registered blinds or within 10 feet of staked blind sites is permitted after the close of the duck season)*

Starved Rock State Park *

- e) The following sites will be open to any goose hunting seasons that occur after the regular Canada goose hunting season:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Clinton Lake State Recreation Area (season closes March 15)

Horseshoe Lake Conservation Area (controlled hunting and public hunting areas)
*@

Jim Edgar Panther Creek State Fish and Wildlife Area (Open Unit, West Open Unit, Quail Management Unit only)

Sangchris Lake State Park *

Stephen A. Forbes State Park *

Snakeden Hollow State Fish and Wildlife Area (from pits only) ~~Snake Den Hollow~~ * @

Union County Conservation Area (firing line and controlled hunting area) *@

William W. Powers Conservation Area

- f) The following sites will be closed to all goose hunting seasons that occur outside the regular duck season dates:

Campbell Pond Wildlife Management Area

Donnelley Fish and Wildlife Area

Mazonia State Fish and Wildlife Area *

Mermet Lake Fish and Wildlife Area

Powerton Reservoir

Redwing Slough/Deer Lake

- g) The following sites will be open to any goose hunting seasons that occur before the regular duck season and after the regular Canada goose season:

Kidd Lake State Natural Area

- h) Violation of this Section is a petty offense (see 520 ILCS 5/2.20) .

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Sewer Discharge Criteria
- 2) Code citation: 35 Ill. Adm. Code 307
- 3)

<u>Section numbers:</u>	<u>Proposed Action:</u>
307.3000, 307.3001, 307.3002	Amend
307.3003, 307.3004, 307.3005	Amend
307.3006, 307.3007, 307.3008	Amend
307.3009, 307.3010, 307.3011	Amend
307.3012	Amend
307.3013	Add
307.4000, 307.4001, 307.4002	Amend
307.4003, 307.4004, 307.4005	Amend
307.4006, 307.4007, 307.4008	Amend
307.4009, 307.4010, 307.4011	Amend
307.4012	Amend
- 4) Statutory authority: 415 ILCS 5/7.2, 13, 13.3, and 27.
- 5) A complete description of the subjects and issues involved:

The following briefly describes the subjects and issues involved in the larger rulemaking of which the amendments to Part 307 are a single segment. Also affected is 35 Ill. Adm. Code 310, which is covered by a separate notice in this issue of the Illinois Register. A comprehensive description is contained in the Board's opinion and order of June 19, 2003, proposing amendments in docket R03-13 for public comment, which opinion and order is available from the address below. As is explained in that opinion, the Board will receive public comment on the proposed amendments for 45 days from the date they appear in the Illinois Register before proceeding to adopt amendments based on this proposal.

The R03-13 proceeding updates Parts 307 and 310 of the Illinois wastewater pretreatment rules to correspond with amendments adopted by the United States Environmental Protection Agency (USEPA) which appeared in the Federal Register during the period July 1, 2002 through December 31, 2003. During this period, USEPA amended its regulations as follows:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Federal Action	Summary
September 19, 2002 (67 Fed. Reg. 58990)	Amended standards for the Pulp, Paper, and Paperboard Point Source Category.
October 17, 2002 (67 Fed. Reg. 64216)	Amended standards for subcategories of the Iron and Steel Manufacturing Point Source Category.
October 23, 2002 (67 Fed. Reg. 65220)	Updated methods used for analysis of contaminants in wastewater and drinking water, including the methods of 40 C.F.R. 136.
October 29, 2002 (67 Fed. Reg. 65876)	Updated Method 1631 for analysis of mercury in water in 40 C.F.R. 136.
November 19, 2002 (67 Fed. Reg. 69952)	Amended guidelines for WET testing.

Specifically, the segment of the amendments involved in Part 307 implements the September 19, 2002 amendments relating to the Pulp, Paper, and Paperboard Point Source Category and the October 17, 2002 amendments relating to the Iron and Steel Manufacturing Point Source Category. The Board is also making a series of non-substantive corrective and stylistic amendments to the segments of the text involved in this proceeding.

Tables appear in the Board's opinion and order of June 19, 2003 in docket R03-13 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 June 19, 2003 opinion and order in docket R03-13.

Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] 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 APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

- 6) Will these proposed amendments replace emergency amendments currently in effect?
No.
- 7) Does this rulemaking contain an automatic repeal date?: No.
- 8) Do these proposed amendments contain incorporations by reference?

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Yes. The text of Part 307 includes a significant number of incorporations of federal regulations by reference. The current amendments update several existing incorporations and add a number of others for newer federal requirements.

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

10) Statement of statewide policy objectives:

This rulemaking imposes mandates on units of local government to the extent those units of local government dispose of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These mandates are, however, identical in substance to mandates already imposed by federal law.

11) 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 [R03-13](#) and be addressed to:

Ms. Dorothy M. Gunn, 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 [R03-13](#):

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>.

12) Initial regulatory flexibility analysis:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking affects those small businesses, small municipalities, and not-for-profit corporations discharging industrial wastewaters into the sewage collection system of a publicly owned treatment works. The present amendments to Part 307 will most directly affect sources in the Pulp, Paper, and Paperboard Point Source Category and the Iron and Steel Manufacturing Point Source Category.

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 manifests and annual reports, waste analyses and maintenance of operating records. The present amendments to Part 307 will most directly affect sources in the Pulp, Paper, and Paperboard Point Source Category and the Iron and Steel Manufacturing Point Source Category.

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. The present amendments to Part 307 will most directly affect sources in the Pulp, Paper, and Paperboard Point Source Category and the Iron and Steel Manufacturing Point Source Category.

13) Regulatory agenda on which this rulemaking was summarized:

January 24, 2003, at 27 Ill. Reg. 1360.

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARDPART 307
SEWER DISCHARGE CRITERIA

SUBPART A: GENERAL PROVISIONS

Section	
307.101	Preamble (Renumbered)
307.102	General Requirements (Renumbered)
307.103	Mercury (Renumbered)
307.104	Cyanide (STORET number 00720) (Renumbered)
307.105	Pretreatment Requirements (Repealed)
307.1001	Preamble
307.1002	Definitions
307.1003	Test Procedures for Measurement
307.1005	Toxic Pollutants

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT REQUIREMENTS

Section	
307.1101	General and Specific Requirements
307.1102	Mercury
307.1103	Cyanide

SUBPART F: DAIRY PRODUCTS PROCESSING

Section	
307.1501	Receiving Stations
307.1502	Fluid Products
307.1503	Cultured Products
307.1504	Butter
307.1505	Cottage Cheese and Cultured Cream Cheese
307.1506	Natural and Processed Cheese
307.1507	Fluid Mix for Ice Cream and other Frozen Desserts
307.1508	Ice Cream, Frozen Desserts, Novelties and Other Dairy Desserts
307.1509	Condensed Milk
307.1510	Dry Milk

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 307.1511 Condensed Whey
- 307.1512 Dry Whey

SUBPART G: GRAIN MILLS

Section

- 307.1601 Corn Wet Milling
- 307.1602 Corn Dry Milling
- 307.1603 Normal Wheat Flour Milling
- 307.1604 Bulgur Wheat Flour Milling
- 307.1605 Normal Rice Milling
- 307.1606 Parboiled Rice Milling
- 307.1607 Animal Feed
- 307.1608 Hot Cereal
- 307.1609 Ready-to-eat Cereal
- 307.1610 Wheat Starch and Gluten

SUBPART H: CANNED AND PRESERVED FRUITS AND VEGETABLES

Section

- 307.1700 General Provisions
- 307.1701 Apple Juice
- 307.1702 Apple Products
- 307.1703 Citrus Products
- 307.1704 Frozen Potato Products
- 307.1705 Dehydrated Potato Products
- 307.1706 Canned and Preserved Fruits
- 307.1707 Canned and Preserved Vegetables
- 307.1708 Canned and Miscellaneous Specialties

SUBPART I: CANNED AND PRESERVED SEAFOOD

Section

- 307.1801 Farm-raised Catfish
- 307.1815 Fish Meal Processing Subcategory

SUBPART J: SUGAR PROCESSING

Section

- 307.1901 Beet Sugar Processing
- 307.1902 Crystalline Cane Sugar Refining

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.1903 Liquid Cane Sugar Refining

SUBPART K: TEXTILE MILLS

Section

307.2000 General Provisions
307.2001 Wool Scouring
307.2002 Wool Finishing
307.2003 Low Water Use Processing
307.2004 Woven Fabric Finishing
307.2005 Knit Fabric Finishing
307.2006 Carpet Finishing
307.2007 Stock and Yarn Finishing
307.2008 Nonwoven Manufacturing
307.2009 Felted Fabric Processing

SUBPART L: CEMENT MANUFACTURING

Section

307.2101 Nonleaching
307.2102 Leaching
307.2103 Materials Storage Piles Runoff

SUBPART M: FEEDLOTS

Section

307.2201 General
307.2202 Ducks

SUBPART N: ELECTROPLATING

Section

307.2300 General Provisions
307.2301 Electroplating of Common Metals
307.2302 Electroplating of Precious Metals
307.2304 Anodizing
307.2305 Coatings
307.2306 Chemical Etching and Milling
307.2307 Electroless Plating
307.2308 Printed Circuit Boards

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART O: ORGANIC CHEMICALS, PLASTICS AND SYNTHETIC FIBERS

Section

307.2400	General Provisions
307.2401	Rayon Fibers
307.2402	Other Fibers
307.2403	Thermoplastic Resins
307.2404	Thermosetting Resins
307.2405	Commodity Organic Chemicals
307.2406	Bulk Organic Chemicals
307.2407	Specialty Organic Chemicals
307.2410	Indirect Discharge Point Sources
307.2490	Non-complexed Metal-bearing and Cyanide-bearing Wastestreams
307.2491	Complexed Metal-bearing Wastestreams

SUBPART P: INORGANIC CHEMICALS MANUFACTURING

Section

307.2500	General Provisions
307.2501	Aluminum Chloride Production
307.2502	Aluminum Sulfate Production
307.2503	Calcium Carbide Production
307.2504	Calcium Chloride Production
307.2505	Calcium Oxide Production
307.2506	Chlor-alkali Process (Chlorine and Sodium or Potassium Hydroxide Production)
307.2508	Hydrofluoric Acid Production
307.2509	Hydrogen Peroxide Production
307.2511	Potassium Metal Production
307.2512	Potassium Dichromate Production
307.2513	Potassium Sulfate Production
307.2514	Sodium Bicarbonate Production
307.2516	Sodium Chloride Production
307.2517	Sodium Dichromate and Sodium Sulfate Production
307.2520	Sodium Sulfite Production
307.2522	Titanium Dioxide Production
307.2523	Aluminum Fluoride Production
307.2524	Ammonium Chloride Production
307.2527	Borax Production
307.2528	Boric Acid Production
307.2529	Bromine Production

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.2530	Calcium Carbonate Production
307.2531	Calcium Hydroxide Production
307.2533	Carbon Monoxide and Byproduct Hydrogen Production
307.2534	Chrome Pigments Production
307.2535	Chromic Acid Production
307.2536	Copper Salts Production
307.2538	Ferric Chloride Production
307.2540	Fluorine Production
307.2541	Hydrogen Production
307.2542	Hydrogen Cyanide Production
307.2543	Iodine Production
307.2544	Lead Monoxide Production
307.2545	Lithium Carbonate Production
307.2547	Nickel Salts Production
307.2549	Oxygen and Nitrogen Production
307.2550	Potassium Chloride Production
307.2551	Potassium Iodide Production
307.2553	Silver Nitrate Production
307.2554	Sodium Bisulfite Production
307.2555	Sodium Fluoride Production
307.2560	Stannic Oxide Production
307.2563	Zinc Sulfate Production
307.2564	Cadmium Pigments and Salts Production
307.2565	Cobalt Salts Production
307.2566	Sodium Chlorate Production
307.2567	Zinc Chloride Production

SUBPART R: SOAP AND DETERGENTS

Section	
307.2701	Soap Manufacturing by Batch Kettle
307.2702	Fatty Acid Manufacturing by Fat Splitting
307.2703	Soap Manufacturing by Fatty Acid Neutralization
307.2704	Glycerine Concentration
307.2705	Glycerine Distillation
307.2706	Manufacture of Soap Flakes and Powders
307.2707	Manufacture of Bar Soaps
307.2708	Manufacture of Liquid Soaps
307.2709	Oleum Sulfonation and Sulfation
307.2710	Air-Sulfur Trioxide Sulfation and Sulfonation

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.2711	Sulfur Trioxide Solvent and Vacuum Sulfonation
307.2712	Sulfamic Acid Sulfation
307.2713	Chlorosulfonic Acid Sulfation
307.2714	Neutralization of Sulfuric Acid Esters and Sulfonic Acids
307.2715	Manufacture of Spray Dried Detergents
307.2716	Manufacture of Liquid Detergents
307.2717	Manufacturing of Detergents by Dry Blending
307.2718	Manufacture of Drum Dried Detergents
307.2719	Manufacture of Detergent Bars and Cakes

SUBPART S: FERTILIZER MANUFACTURING

Section

307.2801	Phosphate
307.2802	Ammonia
307.2803	Urea
307.2804	Ammonium Nitrate
307.2805	Nitric Acid
307.2806	Ammonium Sulfate Production
307.2807	Mixed and Blend Fertilizer Production

SUBPART T: PETROLEUM REFINING

Section

307.2901	Topping
307.2902	Cracking
307.2903	Petrochemical
307.2904	Lube
307.2905	Integrated

SUBPART U: IRON AND STEEL MANUFACTURING

Section

307.3000	General Provisions
307.3001	Cokemaking
307.3002	Sintering
307.3003	Ironmaking
307.3004	Steelmaking
307.3005	Vacuum Degassing
307.3006	Continuous Casting
307.3007	Hot Forming

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.3008	Salt Bath Descaling
307.3009	Acid Pickling
307.3010	Cold Forming
307.3011	Alkaline Cleaning
307.3012	Hot Coating
307.3013	Other Operations

SUBPART V: NONFERROUS METALS MANUFACTURING

Section	
307.3100	General Provisions
307.3101	Bauxite Refining
307.3102	Primary Aluminum Smelting
307.3103	Secondary Aluminum Smelting
307.3104	Primary Copper Smelting
307.3105	Primary Electrolytic Copper Refining
307.3106	Secondary Copper
307.3107	Primary Lead
307.3108	Primary Zinc
307.3109	Metallurgical Acid Plants
307.3110	Primary Tungsten
307.3111	Primary Columbium- Tantalum
307.3112	Secondary Silver
307.3113	Secondary Lead
307.3114	Primary Antimony
307.3115	Primary Beryllium
307.3116	Primary and Secondary Germanium and Gallium
307.3117	Secondary Indium
307.3118	Secondary Mercury
307.3119	Primary Molybdenum and Rhenium
307.3120	Secondary Molybdenum and Vanadium
307.3121	Primary Nickel and Cobalt
307.3122	Secondary Nickel
307.3123	Primary Precious Metals and Mercury
307.3124	Secondary Precious Metals
307.3125	Primary Rare Earth Metals
307.3126	Secondary Tantalum
307.3127	Secondary Tin
307.3128	Primary and Secondary Titanium
307.3129	Secondary Tungsten and Cobalt

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 307.3130 Secondary Uranium
- 307.3131 Primary Zirconium and Hafnium

SUBPART X: STEAM ELECTRIC POWER GENERATING

- Section
- 307.3301 Steam Electric Power Generating

SUBPART Y: FERROALLOY MANUFACTURING

- Section
- 307.3401 Open Electric Furnaces With Wet Air Pollution Control Devices
- 307.3402 Covered Electric Furnaces and Other Smelting Operations with Wet Air Pollution Control Devices
- 307.3403 Slag Processing
- 307.3404 Covered Calcium Carbide Furnaces With Wet Air Pollution Control Devices
- 307.3405 Other Calcium Carbide Furnaces
- 307.3406 Electrolytic Manganese Products
- 307.3407 Electrolytic Chromium

SUBPART Z: LEATHER TANNING AND FINISHING

- Section
- 307.3500 General Provisions
- 307.3501 Hair Pulp, Chrome Tan, Retan-Wet Finish
- 307.3502 Hair Save, Chrome Tan, Retan-Wet Finish
- 307.3503 Hair Save or Pulp, Non-Chrome Tan, Retan-Wet Finish
- 307.3504 Retan-Wet Finish-Sides
- 307.3505 No Beamhouse
- 307.3506 Through-the-Blue
- 307.3507 Shearling
- 307.3508 Pigskin
- 307.3509 Retan-Wet Finish-Splits
- 307.3590 Potassium Ferricyanide Titration Method

SUBPART BA: GLASS MANUFACTURING

- Section
- 307.3601 Insulation Fiberglass
- 307.3602 Sheet Glass Manufacturing
- 307.3603 Rolled Glass Manufacturing

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.3604	Plate Glass Manufacturing
307.3605	Float Glass Manufacturing
307.3606	Automotive Glass Tempering
307.3607	Automotive Glass Laminating
307.3608	Glass Container Manufacturing
307.3610	Glass Tubing (Danner) Manufacturing
307.3611	Television Picture Tube Envelope Manufacturing
307.3612	Incandescent Lamp Envelope Manufacturing
307.3613	Hand Pressed and Blown Glass Manufacturing

SUBPART BB: ASBESTOS MANUFACTURING

Section

307.3701	Asbestos-Cement Pipe
307.3702	Asbestos-Cement Sheet
307.3703	Asbestos Paper (Starch Binder)
307.3704	Asbestos Paper (Elastomeric Binder)
307.3705	Asbestos Millboard
307.3706	Asbestos Roofing
307.3707	Asbestos Floor Tile
307.3708	Coating or Finishing of Asbestos Textiles
307.3709	Solvent Recovery
307.3710	Vapor Absorption
307.3711	Wet Dust Collection

SUBPART BC: RUBBER MANUFACTURING

Section

307.3801	Tire and Inner Tube Plants
307.3802	Emulsion Crumb Rubber
307.3803	Solution Crumb Rubber
307.3804	Latex Rubber
307.3805	Small-Sized General Molded, Extruded and Fabricated Rubber Plants
307.3806	Medium-Sized General Molded, Extruded and Fabricated Rubber Plants
307.3807	Large-Sized General Molded, Extruded and Fabricated Rubber Plants
307.3808	Wet Digestion Reclaimed Rubber
307.3809	Pan, Dry Digestion and Mechanical Reclaimed Rubber
307.3810	Latex-Dipped, Latex-Extruded and Latex-Molded Rubber
307.3811	Latex Foam

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART BD: TIMBER PRODUCTS PROCESSING

Section	
307.3900	General Provisions
307.3901	Barking
307.3902	Veneer
307.3903	Plywood
307.3904	Dry Process Hardboard
307.3905	Wet Process Hardboard
307.3906	Wood Preserving-Water Borne or Nonpressure
307.3907	Wood Preserving-Steam
307.3908	Wood Preserving-Boulton
307.3909	Wet Storage
307.3910	Log Washing
307.3911	Sawmills and Planing Mills
307.3912	Finishing
307.3913	Particleboard Manufacturing
307.3914	Insulation Board
307.3915	Wood Furniture and Fixture Production Without Water Wash Spray Booth(s) or Without Laundry Facilities
307.3916	Wood Furniture and Fixture Production with Water Wash Spray Booth(s) or With Laundry Facilities

SUBPART BE: PULP, PAPER AND PAPERBOARD

Section	
307.4000	General Provisions
307.4001	Dissolving Kraft
307.4002	Bleached Papergrade Kraft and Soda
307.4003	Unbleached Kraft
307.4004	Dissolving Sulfite
307.4005	Papergrade Sulfite
307.4006	Semi-Chemical
307.4007	Mechanical Pulp
307.4008	Non-Wood Chemical Pulp
307.4009	Secondary Fiber Deink
307.4010	Secondary Fiber Non-Deink
307.4011	Fine and Lightweight Papers from Purchased Pulp
307.4012	Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp
307.4013	Groundwood-Thermo-Mechanical (Repealed)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.4014	Groundwood-CMN Papers (Repealed)
307.4015	Groundwood-Fine Papers (Repealed)
307.4016	Soda (Repealed)
307.4017	Deink (Repealed)
307.4018	Nonintegrated-Fine Papers (Repealed)
307.4019	Nonintegrated-Tissue Papers (Repealed)
307.4020	Tissue From Wastepaper (Repealed)
307.4021	Papergrade Sulfite (Drum Wash) (Repealed)
307.4022	Unbleached Kraft and Semi-Chemical (Repealed)
307.4023	Wastepaper-Molded Products (Repealed)
307.4024	Nonintegrated-Lightweight Papers (Repealed)
307.4025	Nonintegrated-Filter and Nonwoven Papers (Repealed)
307.4026	Nonintegrated-Paperboard (Repealed)

SUBPART BF: BUILDERS' PAPER AND BOARD MILLS (Repealed)

Section	
307.4101	Builder's Paper and Roofing Felt (Repealed)

SUBPART BG: MEAT PRODUCTS

Section	
307.4201	Simple Slaughterhouse
307.4202	Complex Slaughterhouse
307.4203	Low-Processing Packinghouse
307.4204	High-Processing Packinghouse
307.4205	Small Processor
307.4206	Meat Cutter
307.4207	Sausage and Luncheon Meats Processor
307.4208	Ham Processor
307.4209	Canned Meats Processor
307.4210	Renderer

SUBPART BH: METAL FINISHING

Section	
307.4300	General Provisions
307.4301	Metal Finishing

SUBPART BL: CENTRALIZED WASTE TREATMENT

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section

307.4700	General Provisions
307.4701	Metals Treatment and Recovery
307.4702	Oils Treatment and Recovery
307.4703	Organics Treatment and Recovery
307.4704	Multiple Wastestreams

SUBPART BN: PHARMACEUTICAL MANUFACTURING

Section

307.4900	General Provisions
307.4901	Fermentation Products
307.4902	Extraction Products
307.4903	Chemical Synthesis Products
307.4904	Mixing/Compounding and Formulation
307.4905	Research (Repealed)

SUBPART BQ: TRANSPORTATION EQUIPMENT CLEANING

Section

307.5200	General Provisions
307.5201	Tank Trucks and Intermodal Tank Containers Transporting Chemical and Petroleum Cargos
307.5202	Rail Tank Cars Transporting Chemical and Petroleum Cargos
307.5203	Tank Barges and Ocean/Sea Tankers Transporting Chemical and Petroleum Cargos
307.5204	Tanks Transporting Food Grade Cargos

SUBPART BR: PAVING AND ROOFING MATERIALS (TARS AND ASPHALT)

Section

307.5301	Asphalt Emulsion
307.5302	Asphalt Concrete
307.5303	Asphalt Roofing
307.5304	Linoleum and Printed Asphalt Felt

SUBPART BS: WASTE COMBUSTORS

Section

307.5401	Commercial Hazardous Waste Combustor
----------	--------------------------------------

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART BT: LANDFILLS

Section

307.5500 General Provisions
307.5501 RCRA Subtitle C Hazardous Waste Landfill
307.5502 RCRA Subtitle D Non-Hazardous Waste Landfill

SUBPART BU: PAINT FORMULATING

Section

307.5601 Oil-Base Solvent Wash Paint

SUBPART BV: INK FORMULATING

Section

307.5701 Oil-Base Solvent Wash Ink

SUBPART CD: PESTICIDE CHEMICALS

Section

307.6500 General Provisions
307.6501 Organic Pesticide Chemicals Manufacturing
307.6502 Metallo-Organic Pesticides Chemicals Manufacturing
307.6503 Pesticide Chemicals Formulating and Packaging
307.6505 Repackaging of Agricultural Pesticides Performed at Refilling Establishments

SUBPART CG: CARBON BLACK MANUFACTURING

Section

307.6801 Carbon Black Furnace Process
307.6802 Carbon Black Thermal Process
307.6803 Carbon Black Channel Process
307.6804 Carbon Black Lamp Process

SUBPART CJ: BATTERY MANUFACTURING

Section

307.7100 General Provisions
307.7101 Cadmium
307.7102 Calcium
307.7103 Lead

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

307.7104	Leclanche
307.7105	Lithium
307.7106	Magnesium
307.7107	Zinc

SUBPART CL: PLASTICS MOLDING AND FORMING

Section

307.7300	General Provisions
307.7301	Contact Cooling and Heating Water
307.7302	Cleaning Water
307.7303	Finishing Water

SUBPART CM: METAL MOLDING AND CASTING

Section

307.7400	General Provisions
307.7401	Aluminum Casting
307.7402	Copper Casting
307.7403	Ferrous Casting
307.7404	Zinc Casting

SUBPART CN: COIL COATING

Section

307.7500	General Provisions
307.7501	Steel Basis Material
307.7502	Galvanized Basis Material
307.7503	Aluminum Basis Material
307.7504	Canmaking

SUBPART CO: PORCELAIN ENAMELING

Section

307.7600	General Provisions
307.7601	Steel Basis Material
307.7602	Cast Iron Basis Material
307.7603	Aluminum Basis Material
307.7604	Copper Basis Material

SUBPART CP: ALUMINUM FORMING

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section

307.7700	General Provisions
307.7701	Rolling With Neat Oils
307.7702	Rolling With Emulsions
307.7703	Extrusion
307.7704	Forging
307.7705	Drawing With Neat Oils
307.7706	Drawing With Emulsions or Soaps

SUBPART CQ: COPPER FORMING

Section

307.7800	General Provisions
307.7801	Copper Forming
307.7802	Beryllium Copper Forming

SUBPART CR: ELECTRICAL AND ELECTRONIC COMPONENTS

Section

307.7901	Semiconductor
307.7902	Electronic Crystals
307.7903	Cathode Ray Tube
307.7904	Luminescent Materials

SUBPART CT: NONFERROUS METALS FORMING AND METAL POWDERS

Section

307.8100	General Provisions
307.8101	Lead-Tin-Bismuth Forming
307.8102	Magnesium Forming
307.8103	Nickel-Cobalt Forming
307.8104	Precious Metals Forming
307.8105	Refractory Metals Forming
307.8106	Titanium Forming
307.8107	Uranium Forming
307.8108	Zinc Forming
307.8109	Zirconium-Hafnium Forming
307.8110	Metal Powders

307.Appendix A References to Previous Rules (Repealed)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing Sections 7.2, 13, and 13.3 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3, and 27].

SOURCE: Adopted in R70-5, at 1 PCB 426, March 31, 1971; amended in R71-14, at 4 PCB 3, March 7, 1972; amended in R74-3, at 19 PCB 182, October 30, 1975; amended in R74-15, 16, at 31 PCB 405, at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended in R76-17, at 31 PCB 713, at 2 Ill. Reg. 45, p. 101, effective November 5, 1978; amended in R76-21, at 44 PCB 203, at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended in R82-5, 10, at 54 PCB 411, at 8 Ill. Reg. 1625, effective January 18, 1984; amended in R86-44 at 12 Ill. Reg. 2592, effective January 13, 1988; amended in R88-11 at 12 Ill. Reg. 13094, effective July 29, 1988; amended in R88-18 at 13 Ill. Reg. 1794, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19288, effective November 17, 1989; amended in R88-9 at 14 Ill. Reg. 3100, effective February 20, 1990; amended in R89-12 at 14 Ill. Reg. 7620, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7377, effective April 27, 1992; amended in R93-2 at 17 Ill. Reg. 19483, effective October 29, 1993; amended in R94-10 at 19 Ill. Reg. 9142, effective June 23, 1995; amended in R95-22 at 20 Ill. Reg. 5549, effective April 1, 1996; amended in R97-23 at 21 Ill. Reg. 11930, effective August 12, 1997; amended in R99-4 at 23 Ill. Reg. 4413, effective March 31, 1999; amended in R99-17 at 23 Ill. Reg. 8421, effective July 12, 1999; amended in R00-15 at 24 Ill. Reg. 11640, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1735, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. 10867, effective August 14, 2001; amended in R03-13 at 27 Ill. Reg. _____, effective _____.

SUBPART U: IRON AND STEEL MANUFACTURING

Section 307.3000 General Provisions

- a) Applicability.
 - 1) This Subpart U applies to the introduction of pollutants into a POTW resulting from production operations in the iron and steel category.
 - 2) The Board incorporates by reference 40 CFR 420.01(b) ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- b) General definitions. The Board incorporates by reference 40 CFR 420.02 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
- c) Compliance ~~dates~~ date. The Board incorporates by reference 40 CFR 420.05 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- d) Calculation of pretreatment standards. The Board incorporates by reference 40 CFR 420.04 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- e) [Non-process wastewater and storm water. The Board incorporates by reference 40 CFR 420.08, as added at 67 Fed. Reg. 64216 \(October 17, 2002\).](#)
- ef) Removal credits for phenols. The control authority may grant removal credits pursuant to [Subpart C of 35 Ill. Adm. Code 310.300 et seq.](#) for phenols limited in this Subpart [U](#) when used as an indicator or surrogate pollutant.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3001 Cokemaking

- a) Applicability. This Section applies to discharges resulting from byproduct and ~~beehive~~ [other](#) cokemaking operations.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.11 ~~(1986)~~ (2002), [as amended at 67 Fed. Reg. 64216 \(October 17, 2002\)](#). This incorporation includes no later amendments or editions.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 420.15 ~~(1986)~~ (2002), [as amended at 67 Fed. Reg. 64216 \(October 17, 2002\)](#). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection [\(c\)\(1\) of this Section](#) ~~shall~~ [may](#) cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 420.16 ~~(1986)~~ (2002), [as amended at 67 Fed. Reg. 64216 \(October 17, 2002\)](#). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection [\(d\)\(1\) of this Section](#) ~~shall~~ [may](#) cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

e) Compliance date. The Board incorporates by reference 40 CFR 420.18, as added at 67 Fed. Reg. 64216 (October 17, 2002).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3002 Sintering

- a) Applicability. This Section applies to discharges resulting from sintering operations conducted by the heating of iron bearing wastes (mill scale and dust from blast furnaces and steelmaking furnaces) together with fine iron ore, limestone, and coke fines in an ignition furnace to produce an agglomerate for charging to the blast furnace.
- b) Specialized definitions. ~~None.~~ The Board incorporates by reference 40 CFR 420.21, as added at 67 Fed. Reg. 64216 (October 17, 2002).
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 420.25 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 420.26 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- e) [Compliance date.](#) The Board incorporates by reference 40 CFR 420.28, as added at 67 Fed. Reg. 64216 (October 17, 2002).
- f) [Point of compliance monitoring.](#) The Board incorporates by reference 40 CFR 420.29(b), as added at 67 Fed. Reg. 64216 (October 17, 2002).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3003 Ironmaking

- a) Applicability. This Section applies to discharges resulting from ironmaking operations in which iron ore is reduced to molten iron in a blast furnace.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.31 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 420.35 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
 - 1) The Board incorporates by reference 40 CFR 420.36 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 307.3004 Steelmaking

- a) Applicability. This Section applies to discharges resulting from steelmaking operations conducted in basic oxygen, ~~open hearth~~ or electric arc furnaces.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.41 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 420.45 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 420.46 ~~(1986)~~ (2002), as amended at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.
- e) Compliance date. The Board incorporates by reference 40 CFR 420.48, as added at 67 Fed. Reg. 64216 (October 17, 2002).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3005 Vacuum Degassing

- a) Applicability. This Section applies to discharges resulting from vacuum degassing operations conducted by applying a vacuum to molten steel.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- b) Specialized definitions. None.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 420.55 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
 - 1) The Board incorporates by reference 40 CFR 420.56 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3006 Continuous Casting

- a) Applicability. This Section applies to discharges resulting from the continuous casting of molten steel into intermediate or semi-finished steel products through ~~water-cooled~~ water-cooled molds.
- b) Specialized definitions. None.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 420.65 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- d) New sources~~:~~.
- 1) The Board incorporates by reference 40 CFR 420.66 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3007 Hot Forming

- a) Applicability. This Section applies to discharges resulting from hot forming operations conducted in primary, section, flat, and pipe and tube mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.71 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources~~:~~.

 - 1) The Board incorporates by reference 40 CFR 420.75 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

- d) New sources~~:~~. These sources shall ~~may~~ must comply with the standards for existing sources.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3008 Salt Bath Descaling

- a) Applicability. This Section applies to discharges resulting from oxidizing or reducing salt bath descaling operations.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.81

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

~~(1986)~~ (2002). This incorporation includes no later amendments or editions.

- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 420.85 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 420.86 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3009 Acid Pickling

- a) Applicability. This Section applies to discharges resulting from sulfuric acid, hydrochloric acid, or combination acid pickling operations.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.91 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 420.95 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- d) New sources~~;~~.
- 1) The Board incorporates by reference 40 CFR 420.96 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3010 Cold Forming

- a) Applicability. This Section applies to discharges resulting from cold rolling and cold working pipe and tube operations in which unheated steel is passed through rolls or otherwise processed to reduce its thickness, to produce a smooth surface, or to develop controlled mechanical properties in the steel.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.101 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources~~;~~.
- 1) The Board incorporates by reference 40 CFR 420.105 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources~~;~~.
- 1) The Board incorporates by reference 40 CFR 420.106 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3011 Alkaline Cleaning

- a) Applicability. This Section applies to discharges resulting from operations in which steel or steel products are immersed in alkaline cleaning baths to remove mineral or animal fats or oils from the steel, and those rinse operations ~~which~~ that follow such immersion.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.111 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources~~:~~. These sources ~~shall~~ must comply with the general and specific pretreatment requirements of Subpart B of this Part.
- d) New sources~~:~~. All sources are regulated as existing sources.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3012 Hot Coating

- a) Applicability. This Section applies to discharges resulting from operations in which steel is coated with zinc, terne metal, or other metals by the hot dip process, and those rinsing operations associated with that process.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.121 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources~~:~~.
- 1) The Board incorporates by reference 40 CFR 420.125 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources~~:~~.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) The Board incorporates by reference 40 CFR 420.126 ~~(1986)~~ (2002). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 7, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.3013 Other Operations

- a) Applicability. This Section applies to discharges resulting from production direct-reduced iron and from briquetting and forging operations.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 420.131, as added at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
- c) Existing sources.
 - 1) The Board incorporates by reference 40 CFR 420.135, as added at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources.
 - 1) The Board incorporates by reference 40 CFR 420.136, as added at 67 Fed. Reg. 64216 (October 17, 2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 3) New source means any building, structure, facility, or installation the construction of which commenced after November 18, 2002.
- e) Compliance date. An existing source must comply with the requirements of this Section no later than October 17, 2005. A new source must comply with the requirements of this Section on the date it begins discharging.

BOARD NOTE: Subsections (d)(3) and (e) of this Section derives from the preamble discussion at 67 Fed. Reg. 64216 (October 17, 2002).

(Source: Added at 27 Ill. Reg. _____, effective _____)

SUBPART BE: PULP, PAPER AND PAPERBOARD

Section 307.4000 General Provisions

- a) Applicability. This Subpart BE applies to any pulp, paper or paperboard mill ~~which that~~ introduces or may introduce process wastewater pollutants into a publicly owned treatment works (POTW).
- b) General definitions. The Board incorporates by reference 40 CFR 430.01 ~~(1998) and additional amendments to that section found at 63 Fed. Reg. 42239 (August 7, 1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Monitoring requirements. The Board incorporates by reference 40 CFR 430.02 (2002), as amended at 67 Fed. Reg. 58990 (September 19, 2002). This incorporation includes no later amendments or editions.
- ~~e~~d) Best management practices. The Board incorporates by reference 40 CFR 430.03 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4001 Dissolving Kraft

- a) Applicability. This Section applies to discharges resulting from the production of dissolving pulp at kraft mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.11 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources:.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) The Board incorporates by reference 40 CFR 430.16 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 430.17 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4002 Bleached Papergrade Kraft and Soda

- a) Applicability. This Section applies to discharges resulting from any of the following: the production of market pulp at bleached kraft mills; the integrated production of paperboard, coarse paper, and tissue paper at bleached kraft mills; the integrated production of pulp and fine papers at bleached kraft mills; and the integrated production of pulp and paper at soda mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.21 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 430.26 ~~(1998) and additional amendments to that section found at 63 Fed. Reg. 42239 (August 7, 1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- d) New sources~~;~~.
- 1) The Board incorporates by reference 40 CFR 430.27 ~~(1998) and additional amendments to that section found at 63 Fed. Reg. 42239 (August 7, 1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.
- e) Best management practices. The Board incorporates by reference 40 CFR 430.28 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4003 Unbleached Kraft

- a) Applicability. This Section applies to discharges resulting from any of the following: the production of pulp and paper at unbleached kraft mills; the production of pulp and paper at unbleached kraft-neutral sulfite semi-chemical (cross recovery) mills; and the production of pulp and paper at combined unbleached kraft and semi-chemical mills, wherein the spent semi-chemical cooking liquor is burned within the unbleached kraft chemical recovery system.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.31 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources~~;~~.
- 1) The Board incorporates by reference 40 CFR 430.36 ~~(198698)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources~~;~~.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) The Board incorporates by reference 40 CFR 430.37 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4004 Dissolving Sulfite

- a) Applicability. This Section applies to discharges resulting from the production of pulp at dissolving sulfite mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.41 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 430.46 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
 - 1) The Board incorporates by reference 40 CFR 430.47 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 307.4005 Papergrade Sulfite

- a) Applicability. This Section applies to discharges resulting from the [any of the following](#): integrated production of pulp and paper at papergrade sulfite mills where blow pit pulp washing techniques are used; and the integrated production of pulp and paper at papergrade sulfite mills where vacuum or pressure drums are used to wash pulp.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.51 ~~(1998)~~ [\(2002\)](#). This incorporation includes no later amendments or editions.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 430.56 ~~(1998) and additional amendments to that section found at 63 Fed. Reg. 42240 (August 7, 1998)~~ [\(2002\)](#). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) [of this Section](#) ~~shall~~ [may](#) cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 430.57 ~~(1998) and additional amendments to that section found at 63 Fed. Reg. 42240 (August 7, 1998)~~ [\(2002\)](#). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) [of this Section](#) ~~shall~~ [may](#) cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4006 Semi-Chemical

- a) Applicability. This Section applies to discharges resulting from the integrated production of pulp and paper at semi-chemical.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.61 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 430.66 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 430.67 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4007 Mechanical Pulp

- a) Applicability. This Section applies to discharges resulting from any of the following: the production of pulp and paper at groundwood chemi-mechanical mills; the production of pulp and paper at groundwood mills through the application of the thermo-mechanical process; the integrated production of pulp and coarse paper, molded pulp products, and newsprint at groundwood mills; and the integrated production of pulp and fine paper at groundwood mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.71 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 430.76 ~~(1998)~~ (2002). This

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

incorporation includes no later amendments or editions.

- 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources~~:~~
 - 1) The Board incorporates by reference 40 CFR 430.77 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4008 Non-Wood Chemical Pulp

- a) Applicability. This Section applies to discharges resulting from the production of pulp and paper at non-wood chemical pulp mills. This sub-category includes, but is not limited to, mills producing non-wood pulps from chemical pulping processes such as kraft, sulfite, or soda.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.81 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources~~:~~
 - 1) The Board incorporates by reference 40 CFR 430.86 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources~~:~~
 - 1) The Board incorporates by reference 40 CFR 430.87 ~~(1998)~~ (2002). This

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

incorporation includes no later amendments or editions.

- 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4009 Secondary Fiber Deink

- a) Applicability. This Section applies to discharges resulting from the integrated production of pulp and paper at deink mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.91 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources:
 - 1) The Board incorporates by reference 40 CFR 430.96 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
 - 1) The Board incorporates by reference 40 CFR 430.97 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section shall ~~may~~ cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 307.4010 Secondary Fiber Non-Deink

- a) Applicability. This Section applies to discharges resulting from the production of [any of the following](#): paperboard from wastepaper; tissue paper from wastepaper without deinking at secondary fiber mills; molded products from wastepaper without deinking at secondary fiber mills; and builders' paper and roofing felt from wastepaper.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.101 ~~(1998)~~ [\(2002\)](#). This incorporation includes no later amendments or editions.
- c) Existing sources~~:~~.
- 1) The Board incorporates by reference 40 CFR 430.106 ~~(1998)~~ [\(2002\)](#). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) [of this Section](#) ~~shall~~ [may](#) cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources~~:~~.
- 1) The Board incorporates by reference 40 CFR 430.107 ~~(1998)~~ [\(2002\)](#). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) [of this Section](#) ~~shall~~ [may](#) cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) "New source" means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4011 Fine and Lightweight Papers from Purchased Pulp

- a) Applicability. This Section applies to discharges resulting from the production of [any of the following](#): fine paper at non-integrated mills; and lightweight paper at non-integrated mills.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.111

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

~~(1998)~~ (2002). This incorporation includes no later amendments or editions.

- c) Existing sources~~:~~.
- 1) The Board incorporates by reference 40 CFR 430.116 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources~~:~~.
- 1) The Board incorporates by reference 40 CFR 430.117 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) of this Section ~~shall~~ may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of such standards.
 - 3) “New source” means any building, structure, facility, or installation the construction of which commenced after January 6, 1981.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 307.4012 Tissue, Filter, Non-Woven, and Paperboard from Purchased Pulp

- a) Applicability. This Section applies to discharges resulting from the production of tissue papers at non-integrated mills, filter and non-woven papers at non-integrated mills, and paperboard at non-integrated mills. The production of electrical grades of board and matrix board is not included in this Subpart BE.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 430.121 ~~(1998)~~ (2002). This incorporation includes no later amendments or editions.
- c) Existing sources~~:~~. These sources ~~shall~~ must comply with the general and specific pretreatment requirements of Subpart B of this Part.
- d) New sources~~:~~. All sources are regulated as existing sources.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pretreatment Programs
- 2) Code citation: 35 Ill. Adm. Code 310
- 3)

<u>Section numbers:</u>	<u>Proposed Action:</u>
310.101, 310.102, 310.103	Amend
310.104, 310.105, 310.107	Amend
310.110	Amend
- 4) Statutory authority: 415 ILCS 5/7.2, 13, 13.3, and 27.
- 5) A complete description of the subjects and issues involved:

The amendments to Part 310 are a single segment of a larger rulemaking that also affects 35 Ill. Adm. Code 307, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the larger rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Proposed Amendments for 35 Ill. Adm. Code 307. A comprehensive description is contained in the Board's opinion and order of June 19, 2003, proposing amendments in docket R03-13 for public comment, which opinion and order is available from the address below. As is explained in that opinion, the Board will receive public comment on the proposed amendments for 45 days from the date they appear in the Illinois Register before proceeding to adopt amendments based on this proposal.

Specifically, the segment of the amendments involved in Part 310 incorporates the October 23, 2002, October 29, 2002, and November 19, 2002 amendments relating to analytical methods. The Board is also making a series of non-substantive corrective and stylistic amendments to the segments of the text of Subpart B, which is involved in this proceeding.

Tables appear in the Board's opinion and order of June 19, 2003 in docket R03-13 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 June 19, 2003 opinion and order in docket R03-13.

Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] 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 APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Administrative Rules (JCAR).

- 6) Will these proposed amendments replace emergency amendments currently in effect?
No.

- 7) Does this rulemaking contain an automatic repeal date?: No.

- 8) Do these proposed amendments contain incorporations by reference?

Yes. The text of Part 310 includes a significant number of incorporations of federal regulations by reference. Section 310.107 is a centralized listing of all documents incorporated by reference for the purposes of Part 310. The current amendments update several existing incorporations to correspond with changes in the corresponding federal requirements.

- 9) Are there any other amendments pending on this Part? No.

- 10) Statement of statewide policy objectives:

This rulemaking imposes mandates on units of local government to the extent those units of local government dispose of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These mandates are, however, identical in substance to mandates already imposed by federal law.

- 11) 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 R03-13 and be addressed to:

Ms. Dorothy M. Gunn, 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 R03-13:

Michael J. McCambridge
Staff Attorney

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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>.

12) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking affects those small businesses, small municipalities, and not-for-profit corporations discharging industrial wastewaters into the sewage collection system of a publicly owned treatment works. The present amendments to Part 310 will most directly affect entities that engage in analysis of wastewater to demonstrate compliance with the regulations.

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 manifests and annual reports, waste analyses and maintenance of operating records. The present amendments to Part 310 will most directly affect entities that engage in analysis of wastewater to demonstrate compliance with the regulations.

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. The present amendments to Part 310 will most directly affect entities that engage in analysis of wastewater to demonstrate compliance with the regulations.

13) Regulatory agenda on which this rulemaking was summarized:

January 24, 2003, at 27 Ill. Reg. 1360.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARDPART 310
PRETREATMENT PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section	
310.101	Applicability
310.102	Objectives
310.103	Federal Law
310.104	State Law
310.105	Confidentiality
310.107	Incorporations by Reference
310.110	Definitions
310.111	New Source

SUBPART B: PRETREATMENT STANDARDS

Section	
310.201	General Prohibitions
310.202	Specific Prohibitions
310.210	Specific Limits Developed by POTW
310.211	Local Limits
310.220	Categorical Standards
310.221	Category Determination Request
310.222	Deadline for Compliance with Categorical Standards
310.230	Concentration and Mass Limits
310.232	Dilution
310.233	Combined Wastestream Formula

SUBPART C: REMOVAL CREDITS

Section	
310.301	Special Definitions
310.302	Authority
310.303	Conditions for Authorization to Grant Removal Credits
310.310	Calculation of Revised Discharge Limits

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

310.311	Demonstration of Consistent Removal
310.312	Provisional Credits
310.320	Compensation for Overflow
310.330	Exception to POTW Pretreatment Program
310.340	Application for Removal Credits Authorization
310.341	Agency Review
310.343	Assistance of POTW
310.350	Continuation of Authorization
310.351	Modification or Withdrawal of Removal Credits

SUBPART D: PRETREATMENT PERMITS

Section	
310.400	Preamble
310.401	Pretreatment Permits
310.402	Time to Apply
310.403	Imminent Endangerment
310.410	Application
310.411	Certification of Capacity
310.412	Signatures
310.413	Site Visit
310.414	Completeness
310.415	Time Limits
310.420	Standard for Issuance
310.421	Final Action
310.430	Conditions
310.431	Duration of Permits
310.432	Schedules of Compliance
310.441	Effect of a Permit
310.442	Modification
310.443	Revocation
310.444	Appeal

SUBPART E: POTW PRETREATMENT PROGRAMS

Section	
310.501	Pretreatment Programs Required
310.502	Deadline for Program Approval
310.503	Incorporation of Approved Programs in Permits
310.504	Incorporation of Compliance Schedules in Permits

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

310.505	Reissuance or Modification of Permits
310.510	Pretreatment Program Requirements
310.521	Program Approval
310.522	Contents of Program Submission
310.524	Content of Removal Allowance Submission
310.531	Agency Action
310.532	Defective Submission
310.533	Water Quality Management
310.541	Deadline for Review
310.542	Public Notice and Hearing
310.543	Agency Decision
310.544	USEPA Objection
310.545	Notice of Decision
310.546	Public Access to Submission
310.547	Appeal

SUBPART F: REPORTING REQUIREMENTS

Section	
310.601	Definition of Control Authority
310.602	Baseline Report
310.603	Compliance Schedule
310.604	Report on Compliance with Deadline
310.605	Periodic Reports on Compliance
310.606	Notice of Potential Problems
310.610	Monitoring and Analysis
310.611	Requirements for Non-Categorical Standard Users
310.612	Annual POTW Reports
310.613	Notification of Changed Discharge
310.621	Compliance Schedule for POTW's
310.631	Signatory Requirements for Industrial User Reports
310.632	Signatory Requirements for POTW Reports
310.633	Fraud and False Statements
310.634	Recordkeeping Requirements
310.635	Notification of Discharge of Hazardous Waste

SUBPART G: FUNDAMENTALLY DIFFERENT FACTORS

Section	
310.701	Definition of Requester

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

310.702	Purpose and Scope
310.703	Criteria
310.704	Fundamentally Different Factors
310.705	Factors which are Not Fundamentally Different
310.706	More Stringent State Law
310.711	Application Deadline
310.712	Contents of FDF Request
310.713	Deficient Requests
310.714	Public Notice
310.721	Agency Review of FDF Requests
310.722	USEPA Review of FDF Requests

SUBPART H: ADJUSTMENTS FOR POLLUTANTS IN INTAKE

Section	
310.801	Net/Gross Calculation by USEPA

SUBPART I: UPSETS

Section	
310.901	Definition
310.902	Effect of an Upset
310.903	Conditions Necessary for an Upset
310.904	Burden of Proof
310.905	Reviewability of Claims of Upset
310.906	User Responsibility in Case of Upset

SUBPART J: BYPASS

Section	
310.910	Definition
310.911	Bypass Not Violating Applicable Pretreatment Standards or Requirements
310.912	Notice
310.913	Prohibition of Bypass

SUBPART K: MODIFICATION OF POTW PRETREATMENT PROGRAMS

Section	
310.920	General
310.921	Substantial modifications defined
310.922	Approval Procedures for Substantial Modifications

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 310.923 Approval Procedures for Non-Substantial Modifications
 310.924 Incorporation of Modifications into the permit

SUBPART L: FEDERAL PROJECT XL AGREEMENTS

Section

- 310.930 Federally Approved Pretreatment Program Reinvention Pilot Projects Under Project XL

AUTHORITY: Implementing and authorized by Sections 7.2, 13, 13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3 and 27].

SOURCE: Adopted in R86-44 at 12 Ill. Reg. 2502, effective January 13, 1988; amended in R88-18 at 13 Ill. Reg. 2463, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19243, effective November 27, 1989; amended in R89-12 at 14 Ill. Reg. 7608, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7346, effective April 27, 1992; amended in R95-22 at 20 Ill. Reg. 5533, effective April 1, 1996; amended in R96-12 at 20 Ill. Reg. 10671, effective July 24, 1996; amended in R97-7 at 21 Ill. Reg. 5163, effective April 10, 1997; amended in R98-23 at 22 Ill. Reg. 11465, effective June 22, 1998; amended in R99-17 at 23 Ill. Reg. 8412, effective July 12, 1999; amended in R00-7 at 24 Ill. Reg. 2372, effective January 26, 2000; amended in R00-15 at 24 Ill. Reg. 11633, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1322, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. 10860, effective August 14, 2001; amended in R02-3 at 26 Ill. Reg. 4008, effective February 28, 2002; amended in R02-9 at 26 Ill. Reg. 4653, effective March 18, 2002; amended in R03-13 at 27 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 310.101 Applicability

- a) This Section is intended as a general guide to persons using these rules and does not supersede more specific requirements contained in the body of the rules.
- b) This Part includes the following provisions:
 - 1) Requirements for submission to the Agency of pretreatment programs by publicly owned treatment works (POTW's). ~~(Section 310.501 et seq.)~~ [\(Subpart E of this Part\)](#)
 - 2) Requirements with which persons discharging to sewers must comply. ~~(Section 310.201 et seq.)~~ [\(Subpart B of this Part\)](#)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 3) Requirements for prior approval by the control authority of certain discharges to a sewer. The control authority may be either [of the following](#):
- A) The POTW pursuant to an approved program; or
 - B) The Agency in the absence of an approved program. ~~(Section 310.400 et seq.)~~ [\(Subpart D of this Part.\)](#)

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 310.102 Objectives

This Part satisfies the requirement of Section 13.3 of the Environmental Protection Act (Act) ~~(Supp. to Ill. Rev. Stat. 1985 ch. 111 1/2, par. 1013.3)~~ [\[415 ILCS 5/13.3\]](#) that the Board adopt rules ~~which that~~ are identical in substance with United States Environmental Protection Agency (USEPA) regulations implementing the pretreatment requirements of the [federal](#) Clean Water Act ([33 USC 1251 et seq.](#)). This Part is intended [for the following purposes](#):

- a) To prevent the introduction into POTWs of pollutants ~~which that~~ will interfere with the operation of the POTW, or which will interfere with the use or disposal of its sludge;
- b) To prevent the introduction of pollutants into POTWs ~~which that~~ will pass through the treatment works or which will otherwise be incompatible with such works; and
- c) To improve the opportunities to recycle and reclaim municipal and industrial wastewaters and sludges.

~~(Board Note: BOARD NOTE: Derived from 40 CFR 403.2-(1986))~~ [\(2002\)](#).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 310.103 Federal Law

- a) The Board intends that this Part be identical in substance with the pretreatment requirements of the [federal](#) Clean Water Act (33 USC 1251 et seq.) and United States Environmental Protection Agency (USEPA) regulations at 40 CFR 401 et seq.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- b) This Part will allow the Agency to issue pretreatment permits, review POTW pretreatment plans and authorize ~~POTW's~~ POTWs to issue authorizations to discharge to industrial users when and to the extent USEPA authorizes the Illinois pretreatment program pursuant to the federal Clean Water Act (33 USC 1251 et seq.). After authorization the requirements of the Clean Water Act and 40 CFR 401 et seq. will continue in Illinois. In particular, USEPA has stated that it will do the following:
- 1) Retain the right to request information pursuant to 40 CFR 403.8(f); and
 - 2) Retain the right to inspect and take samples pursuant to 40 CFR 403.12(l).
- c) This Part ~~shall~~ must not be construed as exempting any person from compliance, prior to authorization of the Illinois pretreatment program, with the pretreatment requirements of the Clean Water Act, USEPA regulations, and NPDES permit conditions.
- d) POTW pretreatment programs ~~which~~ that have been approved by USEPA pursuant to 40 CFR 403 will be deemed approved pursuant to this Part, unless the Agency determines that it is necessary to modify the POTW pretreatment program to be consistent with State law.
- 1) The Agency ~~shall~~ must notify the POTW of any such determination within 60 days after approval of the program by USEPA, or within 60 days after USEPA authorizes the Illinois pretreatment program, whichever is later.
 - 2) If the Agency so notifies the POTW, the POTW will apply for program approval pursuant to Section 310.501 et seq.
- e) USEPA's access to Agency records and information in possession of the Agency ~~shall~~ must be governed by the memorandum of agreement between USEPA and the Agency, subject to confidentiality requirements in Section 310.105.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 310.104 State Law

- a) 35 Ill. Adm. Code 307 includes three types of prohibitions and pretreatment standards, as below:
- 1) Prohibitions, including prohibitions adopted by USEPA at 40 CFR 403.5

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

and more stringent prohibitions adopted by the Board (e.g., 35 Ill. Adm. Code 307.1101);

- 2) National pretreatment standards adopted by USEPA at 40 CFR 405 et seq., and incorporated by reference by the Board (e.g., 35 Ill. Adm. Code 307.1501 et seq.); and
 - 3) More stringent concentration-based standards adopted by the Board (e.g., 35 Ill. Adm. Code 307.1102 and 307.1103).
- b) For subcategories for which there are both categorical pretreatment standards and concentration-based standards adopted by the Board for a pollutant, the control authority ~~shall~~ must apply the standard ~~which~~ that is more stringent as applied to the particular discharge.

(~~Board Note:~~ BOARD NOTE: Derived from 40 CFR 403.4-(1986)) (2002).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 310.105 Confidentiality

- a) Information and data provided to the control authority pursuant to this Part ~~which~~ that is effluent data ~~shall~~ must be available to the public without restriction.
- b) With respect to the Board and Agency, confidentiality ~~shall~~ must be governed by 35 Ill. Adm. Code ~~120~~ 130 and 161.
- c) The Agency and POTW's ~~shall~~ must make information available to the public at least to the extent provided by 40 CFR 2.302-~~(1991)~~ (2002), incorporated by reference in Section 310.107.

BOARD NOTE: Derived from 40 CFR 403.14-~~(1991)~~ (2002).

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 310.107 Incorporations by Reference

- a) The following publications are incorporated by reference:
 - 1) The consent decree in NRDC v. Costle, 1978 WL 23471, 12 Environment Reporter Cases 1833 (D.C. Cir. August 16, 1978).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 2) Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401.
- b) The following provisions of the Code of Federal Regulations are incorporated by reference:
- 40 CFR 2.302-~~(2000)~~ [\(2002\)](#)
 - 40 CFR 25-~~(2000)~~ [\(2002\)](#)
 - 40 CFR 122, Appendix D, Tables II and III-~~(2000)~~ [\(2002\)](#)
 - 40 CFR 128.140(b) (1977)
 - 40 CFR 136-~~(2000)~~ [\(2002\)](#), as amended at ~~65 Fed. Reg. 81242, December 22, 2000 and 66 Fed. Reg. 32774 (June 18, 2001)~~ [67 Fed. Reg. 65220 \(October 23, 2002\)](#), [67 Fed. Reg. 65876 \(October 29, 2002\)](#), and [67 Fed. Reg. 69952 \(November 19, 2002\)](#).
 - 40 CFR 403-~~(2000)~~ [\(2002\)](#)
 - 40 CFR 403, Appendix D-~~(2000)~~ [\(2002\)](#)
- c) The following federal statutes are incorporated by reference:
- 1) Section 1001 of [federal](#) Crimes and Criminal Procedure (18 USC 1001 (2000))
 - 2) [The federal](#) Clean Water Act (33 USC 1251 et seq. (1994)) as amended through October 31, 1994
 - 3) Subtitles C and D of the [federal](#) Resource Conservation and Recovery Act (42 USC 6901 et seq. (1994)) as amended through March 26, 1996
- d) This Part incorporates no future editions or amendments.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 310.110 Definitions

“Act” means the Environmental Protection Act [415 ILCS 5].

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

“Agency” means the Illinois Environmental Protection Agency.

“Approval Authority” means the Agency.

BOARD NOTE: Derived from 40 CFR 403.3(c) ~~(2000)~~ (2002).

“Approved POTW Pretreatment Program” or “Program” or “POTW Pretreatment Program” means a program administered by a POTW that has been approved by the Agency in accordance with Sections 310.541 through 310.546.

BOARD NOTE: Derived from 40 CFR 403.3(d) ~~(2000)~~ (2002).

“Authorization to discharge” means an authorization issued to an industrial user by a POTW that has an approved pretreatment program. The authorization may consist of a permit, license, ordinance or other mechanism as specified in the approved pretreatment program.

“Blowdown” means the minimum discharge of recirculating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts exceeding limits established by best engineering practice.

BOARD NOTE: Derived from 40 CFR 401.11(p) ~~(2000)~~ (2002).

“Board” means the Illinois Pollution Control Board.

“CWA” means Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, incorporated by reference in Section 310.107.

BOARD NOTE: Derived from 40 CFR 403.3(b) ~~(2000)~~ (2002).

“Control authority” is as defined in Section 310.601.

“Indirect Discharge” or “Discharge” means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the CWA (33 ~~U.S.C.~~ USC 1317(b), (c) or (d)).

BOARD NOTE: Derived from 40 CFR 403.3(g) ~~(2000)~~ (2002).

“Industrial User” or “User” means a source of indirect discharge. As used in this Part, an industrial user includes any person who meets any of the following criteria:

The person discharges toxic pollutants, as defined by 35 Ill. Adm. Code 307.1005;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The person is subject to a categorical standard adopted or incorporated by reference in 35 Ill. Adm. Code 307;

The person discharges more than ~~15%~~ fifteen percent of the total hydraulic flow received by the POTW treatment plant;

The person discharges more than ~~15%~~ fifteen percent of the total biological loading of the POTW treatment plant as measured by the ~~5-day~~ five-day biochemical oxygen demand;

The person has caused pass through or interference; or

The person has presented an imminent endangerment to the health or welfare of persons.

BOARD NOTE: Derived from 40 CFR 403.3(h) ~~(2000)~~ (2002).

“Industrial wastewater” means waste of a liquid nature discharged by an industrial user to a sewer tributary to a POTW.

“Interference” means a discharge, alone or in conjunction with a discharge or discharges from other sources, for which both of the following is true:

The discharge inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal; and

As a result of the inhibition or disruption, the discharge is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation) or ~~of~~ the prevention of sewage sludge disposal in compliance with any sludge requirements.

BOARD NOTE: Derived from 40 CFR 403.3(i) ~~(2000)~~ (2002).

“Municipal sewage” is sewage treated by a POTW exclusive of its industrial component.

“Municipal sludge” is sludge produced by a POTW treatment works.

“Municipality.” See “unit of local government.”

“New source” means new source as defined in Section 310.111.

BOARD NOTE: Derived from 40 CFR 401.11(c) and 403.3(k) ~~(2000)~~ (2002).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

“Noncontact cooling water” means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product.

BOARD NOTE: Derived from 40 CFR 401.11(n) ~~(2000)~~ (2002).

“Noncontact cooling water pollutants” means pollutants present in noncontact cooling waters.

BOARD NOTE: Derived from 40 CFR 401.11(o) ~~(2000)~~ (2002).

“NPDES Permit” means a permit issued to a POTW pursuant to Section 402 of the CWA, or Section 12(f) of the Act and [Subpart A of 35 Ill. Adm. Code 309](#). ~~Subpart A.~~

BOARD NOTE: Derived from 40 CFR 403.3(l) ~~(2000)~~ (2002).

“O and M” means operation and maintenance.

“Pass through” means a discharge of pollutants that exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

BOARD NOTE: Derived from 40 CFR 403.3(n) ~~(2000)~~ (2002).

“Person” means an individual, corporation, partnership, association, State, “unit of local government” or any interstate body. This term includes the United States government, the State of Illinois, and their political subdivisions.

BOARD NOTE: Derived from 40 CFR 401.11(m) ~~(2000)~~ (2002) and 33 ~~U.S.C.~~ [USC](#) 1362(5).

“Pollutant” means dredged spoil; solid waste; incinerator residue; sewage; garbage; sewage sludge; munitions; chemical wastes; biological materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; cellar dirt; and industrial, municipal, and agricultural waste discharged into a sewer.

BOARD NOTE: Derived from 40 CFR 401.11(f) ~~(2000)~~ (2002).

“Pollution” means the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

BOARD NOTE: Derived from 40 CFR 401.11(g) ~~(2000)~~ (2002).

~~“POTW” means “Publicly Owned Treatment Works,” which is defined below.~~

“POTW Treatment Plant” means that portion of the POTW that is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial wastewater.

BOARD NOTE: Derived from 40 CFR 403.3(p) ~~(2000)~~ (2002).

“Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical, or biological processes; process changes; or by other means, except as prohibited by Section 310.232.

Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with Section 310.233.

BOARD NOTE: Derived from 40 CFR 403.3(q) ~~(2000)~~ (2002).

“Pretreatment permit” means an authorization to discharge to a sewer that is issued by the Agency as the control authority.

“Pretreatment requirements” means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.

BOARD NOTE: Derived from 40 CFR 403.3(r) ~~(2000)~~ (2002).

“Pretreatment standard,” or “standard” means any regulation containing pollutant discharge limits promulgated by USEPA, and incorporated by reference in 35 Ill. Adm. Code 307. This term includes prohibitive discharge limits established pursuant to Section 310.201 through 310.213 or 35 Ill. Adm. Code 307.1101. This term also includes more stringent prohibitions and standards adopted by the Board in this Part or 35 Ill. Adm. Code 307, including 35 Ill. Adm. Code 307.1101, 307.1102, and 307.1103. The term also includes local limits pursuant to Section 310.211 that are a part of an approved pretreatment program.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

BOARD NOTE: Derived from 40 CFR 403.3(j) ~~(2000)~~ [\(2002\)](#).

“Process wastewater” means any water that, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

BOARD NOTE: Derived from 40 CFR 401.11(q) ~~(2000)~~ [\(2002\)](#).

“Process wastewater pollutants” means pollutants present in process wastewater.

BOARD NOTE: Derived from 40 CFR 401.11(r) ~~(2000)~~ [\(2002\)](#).

“Project XL” means the federal Project for eXcellence and Leadership or a federally approved facility- or community-based regulatory reinvention (XL) pilot project, as such are described in the Federal Register notices of May 23, 1995 (60 Fed. Reg. 27282) and November 1, 1995 (60 Fed. Reg. 55569).

“Publicly owned treatment works” or “POTW” means a “treatment works” that is owned by the State of Illinois or a “unit of local government.” This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastewater. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the “unit of local government” that has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

BOARD NOTE: Derived from 40 CFR 403.3(o) ~~(2000)~~ [\(2002\)](#).

“Schedule of compliance” means a schedule of remedial measures included in an authorization to discharge or a pretreatment permit, or an NPDES permit, including an enforceable sequence of interim requirements (for example, actions, operations, or milestone events) leading to compliance with this Part and 35 Ill. Adm. Code 307. A schedule of compliance does not protect an industrial user or POTW from enforcement.

BOARD NOTE: Derived from 40 CFR 401.11(m) ~~(2000)~~ [\(2002\)](#) and 33 ~~U.S.C.~~ [USC](#) 1362(17).

“Significant industrial user” means ~~as follows~~ [the following](#):

All industrial users subject to categorical pretreatment standards under Section 310.220 through 310.233 and 35 Ill. Adm. Code 307, and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); contributes a process wastestream that makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the control authority, as defined in Section 310.601, on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with Section 310.510(f)); except, upon a finding that an industrial user meeting the criteria of this second subsection of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the control authority, as defined in Section 310.601, may at any time, on its own initiative or in response to a petition received from an industrial user or POTW may determine in accordance with Section 310.510(f) that such industrial user is not a significant industrial user.

BOARD NOTE: Derived from 40 CFR 403.3(t)-~~(2000)~~ [\(2002\)](#).

“Sludge requirements” means any of the following permits or regulations: 35 Ill. Adm. Code 309.155 (NPDES Permits), 309.208 (Permits for Sites Receiving Sludge for Land Application), 703.121 (RCRA Permits), 807.202 (Solid Waste Permits), the [federal](#) Toxic Substances Control Act (15 ~~U.S.C.~~ [USC](#) 2601) or the [federal](#) Marine Protection, Research and Sanctuaries Act (33 ~~U.S.C.~~ [USC](#) 1401), Section 39(b) of the Act (NPDES Permits) [\[415 ILCS 5/39\(b\)\]](#), and Section 405(b) of the [federal](#) Clean Water Act (federally-imposed sludge use and management requirements).

BOARD NOTE: Derived from 40 CFR 403.3(i) and 403.7(a)-~~(2000)~~ [\(2002\)](#).

“Submission” means a request to the Agency by a POTW for approval of a pretreatment program, or for authorization to grant removal credits.

BOARD NOTE: Derived from 40 CFR 403.3(t)-~~(2000)~~ [\(2002\)](#).

“Treatment works” is as defined in 33 ~~U.S.C.~~ [USC](#) 1292(2) (1987). It includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal or industrial wastewater to implement 33 ~~U.S.C.~~ [USC](#) 1281, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment.

BOARD NOTE: Derived from 40 CFR 403.3(o)-~~(2000)~~ [\(2002\)](#) and 33 ~~U.S.C.~~ [USC](#)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1292(2).

“Unit of local government” means a unit of local government, as defined by Art. 7, Sec. 1 of the Illinois Constitution, having jurisdiction over disposal of sewage. Unit of local government includes, but is not limited to, municipalities and sanitary districts.

BOARD NOTE: Derived from 40 CFR 401.11(m) ~~(2000)~~ (2002) and 33 ~~U.S.C.~~ USC 1362(4).

“USEPA” means the United States Environmental Protection Agency.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Permits
- 2) Code Citation: 35 Ill. Adm. Code 602
- 3) Section Numbers:

<u>Section Numbers:</u>	<u>Proposed Action:</u>
602.105	Amend
602.106	Amend
602.108	Amend
602.115	Amend
- 4) Statutory Authority: 415 ILCS 5/17 and 27.
- 5) A Complete Description of the Subjects and Issues Involved:

This rulemaking is explained in more detail in the Board's first notice opinion and order of June 19, 2003, R03-21, available from the address in item 11 below. This rulemaking is based on a proposal filed with the Board by the Illinois Environmental Protection Agency (Agency) on April 7, 2003. The proposal would extend an exemption in the Board's regulations allowing the Agency to continue issuing construction and operating permits to public water supplies (PWS) though the supplies do not meet the radionuclide standards for drinking water. Generally, under the permit ban in the Board's rules, the Agency cannot issue a permit to a PWS that is out of compliance with a drinking water standard. The proposed exemption would be available to the non-compliant PWS only if there is an enforceable court order or Compliance Commitment Agreement (CCA) binding the PWS to a specific schedule for meeting the radionuclide drinking water standards. The proposed exemption, like the current exemption, does not exempt any PWS from meeting the radionuclide drinking water standards, but instead exempts qualifying PWS from the permit ban, allowing the qualifying PWS to receive permits. The current exemption ends on December 8, 2003, when compliance with the final radionuclide drinking water standards is required. The proposed exemption would be effective from December 8, 2003, until December 8, 2009.

Additionally, the proposed amendments would require each person who signs an application for a construction permit to certify that the application is complete and accurate and that the application form has not been altered from the Agency's official form. This would help to ensure that applicants do not change the permit application form when they prepare an application electronically.

The proposed amendments also would change the references to the Agency Technical Policy Statements to the Agency rules for public water supplies.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) Will this proposed rule(s) replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives:

These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3 (1992)].

11) 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 at least 45 days after the date of this publication. Comments should reference Docket R03-21 and be addressed to:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St.
Suite 11-500
Chicago, IL 60601

Address all questions to Richard McGill, at 312/814-6983 or mcgillr@ipcb.state.il.us.

Request copies of the Board's opinion and order in Docket R03-21 from Dorothy M. Gunn, at 312-814-3620, or download from the Board's Web site at www.ipcb.state.il.us.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected:

Small public water supplies, including privately-owned and municipally-owned systems, that are unable to meet the December 8, 2003 deadline for compliance with the final radionuclide drinking water standards can benefit from the proposed amendments. If the water supply qualifies for the proposed exemption from the permit ban, it would be able to receive, for example, construction permits to build water main extensions while it

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

works under a binding court order or Compliance Commitment Agreement (CCA) to meet the drinking water standards.

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

No changes in the reporting, bookkeeping or other procedures will be required for compliance with this proposal.

C) Types of professional skills necessary for compliance:

No professional skills beyond those currently required by the rules will be required.

13) Regulatory agenda on which this rulemaking was summarized:

This proposal appeared in the Board's January 2003 regulatory agenda.

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 BOARDPART 602
PERMITS

Section	
602.101	Construction Permit
602.102	Operating Permit
602.103	Algicide Permit
602.104	Emergency Permit
602.105	Standards for Issuance
602.106	Restricted Status
602.107	Signatory Requirement for Permit Applications
602.108	Construction Permit Applications
602.109	Operating Permit Applications
602.110	Algicide Permits Applications
602.111	Application Forms and Additional Information
602.112	Filing and Final Action by Agency on Permit Application
602.113	Duration
602.114	Conditions
602.115	Design, Operation and Maintenance Criteria
602.116	Requirement for As-Built Plans
602.117	Existence of Permit No Defense
602.118	Appeals from Conditions
602.119	Revocations
602.120	Limitations
602.Appendix:	References to Former Rules

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

SOURCE: Filed with Secretary of State January 1, 1978; amended and codified at 6 Ill. Reg. 11497, effective September 14, 1982; amended at 8 Ill. Reg. 2157, effective February 7, 1984; emergency amendment at 9 Ill. Reg. 13371, effective August 16, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 7337, effective April 22, 1986, amended in R96-18 at 21 Ill. Reg. 6562, effective May 8, 1997; amended in R03-21 at 27 Ill. Reg. _____, effective _____.

Section 602.105 Standards for Issuance

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- a) The Agency shall not grant any construction or operating permit required by this ~~Part unless~~ ~~Part~~ unless the applicant submits adequate proof that the public water supply will be constructed, modified or operated so as not to cause a violation of the Environmental Protection Act [415 ILCS 5].
- b) The Agency shall not grant any construction or operating permit required by this Part unless the applicant submits adequate proof that the public water supply facility conforms to the design criteria promulgated by the Agency under Section 39(a) of the Act or Section 602.115 or is based on such other criteria which the applicant proves will produce consistently satisfactory results.
- c) The Agency shall not grant any construction permit required by this Part unless the applicant submits proof that any plan documents required by this Section and Section 602.108 have been prepared by a person qualified under the Illinois Architecture Practice Act [225 ILCS 305], the Illinois Professional Engineering Practice Act [225 ILCS 325], the Illinois Structural Engineering Licensing Act [225 ILCS 340], or any required combination thereof.
- d) Until December 8, 2003 ~~the effective date of either a National Primary Drinking Water Regulation for radium-226, radium-228, or gross alpha particle activity that replaces the National Interim Primary Drinking Water Regulations for these contaminants, adopted by USEPA on July 9, 1976, or the formal withdrawal of the proposed National Primary Drinking Water Regulations for these contaminants, as proposed by USEPA on July 18, 1991 (56 Fed. Reg. 33050)~~, the Agency shall not deny for the following reasons any construction or operating permit required by this Part:
- 1) the radium-226 level is less than or equal to 20 pCi/L;
 - 2) the radium-228 level is less than or equal to 20 pCi/L; or
 - 3) the gross alpha particle activity level minus the radium-226 level is less than or equal to 15 pCi/L.
- e) From December 8, 2003, until December 8, 2009, the Agency may issue a construction or operating permit to a public water supply that exceeds the maximum contaminant level (MCL) for combined radium (radium-226 and radium-228) of 5 pCi/L, the MCL for gross alpha particle activity of 15 pCi/L, or the MCL for uranium of 30 µg/L (35 Ill. Adm. Code 611.330) if the supply is bound to comply with the MCL pursuant to a specific schedule under:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) [A Compliance Commitment Agreement executed pursuant to Section 31 of the Act \[415 ILCS 5/31\]; or](#)
- 2) [An enforceable court order after referral by the Agency.](#)

(Source: Amended at 27 Ill. Reg. ____, effective ____)

Section 602.106 Restricted Status

- a) Restricted status shall be defined as the Agency determination, pursuant to Section 39(a) of the Act and Section 602.105, that a public water supply facility may no longer be issued a construction permit without causing a violation of the Act or this Chapter.
- b) The Agency shall publish and make available to the public at intervals of not more than six months, a comprehensive and up-to-date list of supplies subject to restrictive status and the reasons why.
- c) The Agency shall notify the owners or official custodians of supplies when the supply is initially placed on restricted status by the Agency.
- d) Until [December 8, 2003](#) ~~the effective date of either a National Primary Drinking Water Regulation for radium-226, radium-228, or gross alpha particle activity that replaces the National Interim Primary Drinking Water Regulations for these contaminants, adopted by USEPA on July 9, 1976, or the formal withdrawal of the proposed National Primary Drinking Water Regulations for these contaminants, as proposed by USEPA on July 18, 1991 (56 Fed. Reg. 33050)~~, the Agency shall not place public water supplies on restricted status when:
 - 1) the radium-226 level is less than or equal to 20 pCi/L;
 - 2) the radium-228 level is less than or equal to 20 pCi/L; or
 - 3) the gross alpha particle activity level minus the radium-226 level is less than or equal to 15 pCi/L.
- e) [From December 8, 2003, until December 8, 2009, the Agency shall not place a public water supply on restricted status for exceeding the maximum contaminant level \(MCL\) for combined radium \(radium-226 and radium-228\) of 5 pCi/L, the MCL for gross alpha particle activity of 15 pCi/L, or the MCL for uranium of 30 µg/L \(35 Ill. Adm. Code 611.330\) if the supply is bound to comply with the MCL](#)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

pursuant to a specific schedule under:

- 1) A Compliance Commitment Agreement executed pursuant to Section 31 of the Act [415 ILCS 5/31]; or
- 2) An enforceable court order after referral by the Agency.

(Source: Amended at 27 Ill. Reg. ____, effective ____)

Section 602.108 Construction Permit Applications

All applications for any construction permit required under this Chapter shall contain, where appropriate, the following information and documents:

- a) A summary of the design basis;
- b) Operation requirements;
- c) General Layout;
- d) Detailed Plans;
- e) Specifications;
- f) A professional seal to satisfy Section 602.105 (c) requirements; ~~and~~
- g) Certification by each person signing the application that the information in the application is complete and accurate, and that the text of the application has not been changed from the Agency's official construction permit application form; and
- hg) Any other information required by the Agency for proper consideration of the permit.

(Source: Amended at 27 Ill. Reg. ____, effective ____)

Section 602.115 Design, Operation, and Maintenance Criteria

- a) The Agency may adopt criteria ~~in rules published in the form of Technical Policy Statements;~~ for the design, operation, and maintenance of public water supply facilities as necessary to insure safe, adequate, and clean water. These criteria shall be revised from time to time to reflect current engineering judgment and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

advances in the state of the art.

- b) Before adopting new criteria or making substantive changes to any [of its rules for public water supplies](#) ~~Technical Policy Statements~~, the Agency shall comply with the provisions of the Administrative Procedure Act [5 ILCS 100].

(Source: Amended at 27 Ill. Reg. ____, effective ____)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Nursing and Advanced Practice Nursing Act - Advance Practice Nurse
- 2) Code Citation: 68 Ill. Adm. Code 1305
- 3) Section Numbers: Proposed Action:
1305.25 Amendment
1305.60 Amendment
1305.100 New Section
- 4) Statutory Authority: Nursing and Advanced Practice Nursing Act [225 ILCS 65]
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking adds Section 1305.100 to implement the continuing education requirement, as provided for in Section 15-45 of the Act. Other sections are amended to reflect this requirement.
- 6) Do these proposed amendments replace an emergency amendment currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable):

This rulemaking has no effect on local governments.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons may submit written comments to:

Department of Professional Regulation
Attention: Barb Smith
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax #: 217/782-7645

All written comments received within 45 days after this issue of the Illinois Register will

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

be considered.

12) 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: Advanced practice nursing skills are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: July 2002

The full text of the proposed amendment begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1305

NURSING AND ADVANCED PRACTICE NURSING ACT - ADVANCED PRACTICE
NURSE

Section

- 1305.10 Definitions
- 1305.15 Application for Licensure Prior to July 1, 2001
- 1305.20 Application for Licensure Beginning July 1, 2001
- 1305.25 Fees
- 1305.30 Written Collaborative Agreements
- 1305.35 Medical Direction
- 1305.40 Prescriptive Authority
- 1305.45 Delivery of Anesthesia Services by a Certified Registered Nurse Anesthetist
- 1305.50 Practice Agreement for Certified Registered Nurse Anesthetist
- 1305.60 Renewals
- 1305.70 Advertising
- 1305.75 Mandatory Reporting of Impaired Advanced Practice Nurses by Health Care Institutions
- 1305.80 Fines
- 1305.85 Public Access to Records and Meetings
- 1305.90 Refusal to Issue a Nurse License based on Criminal History Record
- 1305.95 Granting Variances
- [1305.100](#) [Continuing Education](#)
- 1305.APPENDIX A Additional Certifications Accepted for Licensure as an Advanced Practice Nurse
- 1305.EXHIBIT A Sample Written Collaborative Agreement
- 1305.EXHIBIT B Sample Practice Agreement for Office Based Anesthesia Services

AUTHORITY: Implementing the Nursing and Advanced Practice Nursing Act [225 ILCS 65] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 25 Ill. Reg. 4609, effective March 15, 2001; amended at 26 Ill. Reg. 7279, effective April 26, 2002; amended at 26 Ill. Reg. 11944, effective July 18, 2002; emergency amendment at 26 Ill. Reg. 16845, effective November 4, 2002, for a maximum of 150 days; amended at 27 Ill. Reg. 5829, effective March 24, 2003; amended at 27 Ill. Reg. _____,

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

effective _____.

Section 1305.25 Fees

The following fees shall be paid to the Department and are not refundable:

- a) Application Fees.
 - 1) The fee for application for a license as an advanced practice nurse is \$125.
 - 2) The fee for processing an application for practice license pending as an advanced practice nurse is \$25.
 - 3) The fee for application as a continuing education sponsor is \$500.
- b) Renewal Fees.
 - 1) The fee for the renewal of a license as an advanced practice nurse shall be calculated at the rate of \$40 per year.
 - 2) The fee for renewal of continuing education sponsor approval is \$250 for a 2 year license.
- c) General Fees.
 - 1) The fee for the restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees.
 - 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license for a license that has been lost or destroyed, or for the issuance of a license with a change of name or address other than during the renewal period, is \$20. No fee is required for name and address changes on Department records when no duplicate license is issued.
 - 3) The fee for a certification of a licensee's record for any purpose is \$20.
 - 4) The fee for a wall certificate showing licensure shall be the actual cost of producing the certificate.
 - 5) The fee for a roster of persons licensed as advanced practice nurses in this State shall be the actual cost of producing the roster.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1305.60 Renewals

- a) Every license issued under the Act shall expire on May 31 of each even numbered year. The first renewal of an advanced practice nurse license is 2004. The holder of a license may renew such license during the month preceding the expiration date by paying the required fee. Beginning with the May 31, 2006 renewal and every renewal thereafter, a renewal applicant will be required to complete 50 hours of continuing education as set forth in Section 1305.100 of this Part. A licensee's registered nurse license shall be renewed in order to renew the advanced practice nurse license.
- b) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee.
- c) Practice on a license that has expired is the unlicensed practice of advanced practice nursing and shall be grounds for discipline pursuant to Section 15-50 of the Act.

(Source: Amended at 27 Ill. Reg. _____, effective _____)

Section 1305.100 Continuing Education

The Department shall adopt rules of continuing education for persons licensed under this Part that require 50 hours of continuing education per 2-year license renewal cycle. The rules shall not be inconsistent with requirements of relevant national certifying bodies or State or national professional associations. The rules shall also address variances for illness or hardship. The continuing education rules shall assure that licensees are given the opportunity to participate in programs sponsored by or through their State or national professional associations, hospitals, or other providers of continuing education. Each licensee is responsible for maintaining records of completion of continuing education and shall be prepared to produce the records when requested by the Department. (Section 15-45 of the Act)

- a) Continuing Education Hours Requirements
 - 1) Beginning with the May 31, 2006 renewal and every renewal thereafter, in order to renew a license, a licensee shall be required to complete 50 contact hours of continuing education.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 2) The following time equivalencies shall apply:
- | | | |
|---------------------------------|----------|----------------------------------------|
| <u>1 CEU</u> | <u>≡</u> | <u>10 contact hours</u> |
| <u>1 contact hour</u> | <u>≡</u> | <u>.1 CEU</u> |
| <u>1 contact hour</u> | <u>≡</u> | <u>50 minutes</u> |
| <u>1 academic semester hour</u> | <u>≡</u> | <u>15 contact hours</u> |
| <u>1 academic quarter hour</u> | <u>≡</u> | <u>12.5 contact hours</u> |
| <u>1 CME</u> | <u>≡</u> | <u>60 minutes or 1.2 contact hours</u> |
| <u>1 AMA credit</u> | <u>≡</u> | <u>60 minutes or 1.2 contact hours</u> |
- 3) A prerenewal period is the 24 months preceding May 31 of each even-numbered year.
- 4) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.
- 5) APNs licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
- 6) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.
- 7) An APN holding more than one APN license is required to complete 50 contact hours total per license renewal period.
- b) Approved Continuing Education (CE)
- 1) 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 (program) that is offered or sponsored by an approved continuing education sponsor who meets the requirements set forth in subsection (c), except for those activities provided in subsections (b)(2), (3), and (4).
- 2) Independent study that is approved for continuing education credits as set forth in subsection (c) may be used; i.e., home study programs, articles from journals, and other health discipline independent study modules.
- 3) Academic credits may be used to fulfill CE requirements if the course content is applicable to the certification area. CE hours are awarded as outlined in subsection (a)(4).

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- A) College/university courses that are audited may not be used for CE credit.
 - B) Degree “core” or general education credits such as English, Literature, History, Math, Music and Physical Education may not be used.
- 4) Presenter/lecturer presentations made to other health professionals on topics related to the certification area may be used for CE credit. Each different individual, non-repetitive 60-minute lecture may be used for 5 CE hours. Full-time educators may not use presentations/lectures that are part of their job expectations, but may use guest lectures and other presentations made outside the duties of their job.
 - 5) CE hours may be earned for authoring papers, publications, dissertations, book chapters or research projects. These must be applicable to the certification area. The research project must be completed during the prerenewal period. Authoring a paper or publication article may be used for 10 CE hours. Authoring a book chapter, dissertation or research project may be used for 20 CE hours.
 - 6) CE hours may be earned through preceptorship of an APN student. Preceptors must provide clinical supervision and education to the APN student. Documentation must be provided from the school of nursing in which the student is enrolled. Precepting one student for an academic semester or quarter may be used for 10 CE hours. Not more than 20 CE hours in each renewal period may come from precepting.
 - 7) Successful completion, during the prerenewal period, of a recertification exam in the APNs area of specialty as recognized in Section 1305.20 may be used for 50 CE hours.
- c) Approved CE Sponsors and Programs
- 1) Sponsor, as used in this Section, shall mean:
 - A) Approved providers of recognized certification bodies as outlined in Section 1305.20.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- B) Any conference that provides approved Continuing Medical Education (CME) as authorized by the Illinois Medical Practice Act.
 - C) ANCC accredited or approved providers.
 - D) Illinois Society for Advanced Practice Nursing (ISAPN).
 - E) American College of Nurse Practitioners.
 - F) merican Academy of Nurse Practitioners.
 - G) Nurse Practitioner Association for Continuing Education (NPACE).
 - H) American Association of Nurse Anesthetists.
 - I) National Association of Clinical Nurse Specialists (NACNS).
 - J) Any other accredited school, college or university, State agency, or any other person, firm or association that has been approved and authorized by the Department pursuant to subsection (c)(2) of this Section to coordinate and present continuing education courses and programs.
- 2) An entity seeking approval as a CE sponsor, not specifically listed in subsection (c)(1), shall submit an application, on forms supplied by the Department, along with the application fee specified in Section 1305.25. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) The application shall include:
- A) Certification:
 - i) That all programs offered by the sponsor for CE credit shall comply with the criteria in subsection (c)(3) and all other criteria in this Section;
 - ii) That the sponsor shall be responsible for verifying full-time continuous attendance at each program and provide a certificate of attendance as set forth in subsection (c)(9);

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

sponsor subcontracts with a presenter, the sponsor retains all responsibility for monitoring attendance, providing certificates of attendance and ensuring the program meets all of the criteria established by the Act and this Part, including the maintenance of records.

- 6) To maintain approval as a sponsor, each sponsor shall submit to the Department by May 31 of each even-numbered year a renewal application, the renewal fee specified in Section 1305.25 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 by the sponsor and by any subcontractor.
- 7) Certification of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:
 - A) The name, address and approval number of the sponsor;
 - B) The name of the participant;
 - C) A brief statement of the subject matter;
 - D) The number of hours attended in each program;
 - E) The date and place of the program; and
 - F) The signature of the sponsor.
- 8) The sponsor shall maintain attendance records for not less than 5 years.
- 9) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.
- 10) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Department receives assurances of compliance with this Section.
- 11) Notwithstanding any other provision of this Section, the Department or

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.

d) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections (a) and (b).
- 2) The Department may require additional evidence demonstrating compliance with the CE requirements (e.g., certificates of attendance). This additional evidence shall be required in the context of the Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.
- 3) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

e) Continuing Education Earned in Other Jurisdictions

- 1) If a licensee has earned CE hours offered in another jurisdiction not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a \$25 processing fee, prior to participation in the program or within 90 days prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.
- 2) If a licensee fails to submit an out-of-state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the \$25 processing fee plus \$50 per hour late fee not to exceed \$300. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

f) Restoration of Nonrenewed License

Upon satisfactory evidence of compliance with CE requirements, the Department

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

shall restore the license upon payment of the required fee as provided in Section 1305.25.

g) Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Department a renewal application, along with the required fee set forth in Section 1305.25, a statement setting forth the facts concerning noncompliance and request for waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of 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 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 health care provider;
 - C) A physical inability to travel to the sites of approved programs documented by a currently licensed health care provider; 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 Department.

(Source: Added at 27 Ill. Reg. _____, effective _____)

JUDGES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? N/A

13) Will this (these) rule(s) replace and emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

15) Summary and Purpose of Rule(s): Section 325.210 is being amended to reflect current administrative procedures.

16) Information and questions regarding this (these) adopted rule(s) shall be directed to:

Name: Robert Knox, Executive Secretary
Address: 2101 South Veterans Parkway. P.O. Box 19255
Telephone: 217-785-7444

17) Does this (rule/amendment/pealer) require the review of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code? [30 ILCS 500/5-25] N/A

The full text of the Adopted Rule(s) begins on the next page:

JUDGES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE B: COURTS AND JUDICIARY
CHAPTER II: JUDGES RETIREMENT SYSTEMPART 325
PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION
SUBPART A: RULEMAKING

Section
325.110 Amendments

SUBPART B: ORGANIZATION

Section
325.210 Meetings
325.220 Officers and Their Duties
325.230 Committees

AUTHORITY: Implementing Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15) and authorized by Section 18-150 of the Illinois Pension Code (Ill. Rev. Stat. 1981, ch. 108 ½, par. 18-150).

SOURCE: Adopted December 4, 1975; codified at 8 Ill. Reg. 7225; Amended 27 Ill. Reg. 9915, June 23, 2003.

Section 325.210 Meetings

- a) ~~Regular Meetings. Regular meetings of the Board shall be held bi-monthly on the 1st Friday of the months of February, April, June, August, October and December in each year.~~
- a) Regular Meetings. Regular meetings of the Board shall be held quarterly in January, April, July and October of each year on a date agreed to by the Board.
- b) Special Meetings. Special meetings of the Board may be called at any time by the Chairman of the Board, or by any 3 Trustees.
- c) Notice. At least 10 days' notice, in writing, shall be given to each Trustee, of the date of any regular or special meeting. Any business of whatever nature may be disposed of at a regular or special meeting.

JUDGES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

- d) Quorum. Three Trustees of the Board shall constitute a quorum for the transaction of business at any regular or special meeting.
- e) Annual Meeting. The regular meeting in October in each year shall constitute the annual meeting of the Board. At such meeting the election of officers of the Board for the ensuing fiscal year shall be held.
- f) Voting. Each Trustee may cast one vote on any question coming before the Board at any regular or special meeting at which he is in attendance. At least 3 concurring votes shall be necessary for action by the Board at any of its meetings. The State Treasurer or the Chief Justice of the Supreme Court, being ex officio trustees, may designate in writing filed with the Secretary at least 1 day before any meeting, a person who is authorized to represent him as a proxy at any meeting with full right to vote at said meeting on all matters that may come before the meeting; the said designation, at the election of the State Treasurer or the Chief Justice of the Supreme Court, may continue in effect until cancelled in writing filed with the Secretary.
- g) Record of Proceedings. The Board shall keep a full record of all its proceedings in which shall be recorded all business of whatever nature transacted by the Board. The Secretary shall supply to each Trustee, within 15 days of any regular or special meeting, a copy of the minutes of the meeting.
- h) Roll Calls. On any motion or resolution involving the expenditures of moneys or the creation of a liability for the System, the vote of each Trustee present shall be recorded in the minutes of the meeting. Such a record shall be made at the request of any Trustee present at the meeting on any other motion or resolution.
- i) Reconsideration. Any Trustee who voted with the majority on any question acted upon by the Board may move for a reconsideration of the action taken on such vote. Such motion for reconsideration may be made at any regular or special meeting at the request of the Trustee desiring such action.
- j) Order of Business. The following order shall govern the business to be taken up at any regular or special meeting:
 - 1) Roll Call
 - 2) [Report on Investments](#)
 - ~~2)3)~~ Minutes of Previous Meeting

JUDGES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

- ~~3)4)~~ Reading of Communications
- ~~4) — Report of Committees~~
- 5) Report of Chairman
- 6) Report of Secretary
- ~~7) — Report of Other Officers~~
- ~~8) — Report on Investments~~
- ~~9)7)~~ Unfinished Business
- ~~10)8)~~ New Business

(Source: Amended at 27 Ill. Reg. 9915, effective June 23, 2003.)

Section 325.220 Officers and Their Duties

- a) Elective Officers. The following named officers shall be elected by the Board of Trustees: to-wit, Chairman and Vice Chairman.
- b) Employees. The Board shall appoint a Secretary and an Actuary and such other personnel as may be necessary for the proper conduct of business of the System, and fix their rates of compensation. Any person rendering special service to the Board, at the request of the Board, shall receive compensation for such service in such amount as the Board may vote to allow.
- c) Salaries. Salaries or other compensation of officers or employees entitled thereto shall be fixed by resolution of the Board and shall be payable monthly or as otherwise stipulated.
- d) Chairman.
 - 1) The Chairman shall be the chief executive officer of the Board; shall preside at all meetings; announce the business before the Board, and the order in which it is to be acted upon subject to the rules hereof; announce the question under consideration, and the result of the vote taken; request a roll call upon any action or resolution of the Board as herein provided.
 - 2) The Chairman shall appoint all necessary committees and shall see to it

JUDGES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

that they perform their assigned duties. He shall sign all contracts and agreements creating any liabilities, together with the Secretary of the Board, upon authorization and direction of the Board. He shall approve all vouchers signed by the Secretary as provided in paragraph (f) (4) of this Section before the same are forwarded to the State Comptroller. He shall exercise a general supervision over the affairs of the System. The Chairman may also, in writing, authorize the Vice Chairman or a member of the staff to sign vouchers or other documents required in the normal operations of the System.

- e) Vice Chairman. The Vice Chairman shall act as Chairman at any regular or special meeting and perform the duties set forth in this Section in the absence or disability of the Chairman.
- f) Secretary. The Secretary shall be in charge of the administration of the detailed affairs of the System, and in addition to such other duties as are delegated by the Board, shall:
 - 1) Give proper and timely notice of all meetings of the Board; prepare for each meeting an agenda showing the business to be transacted and forward the same to each Trustee at least 10 days prior to all regular meetings; record the proceedings of the Board at all meetings and keep a permanent record thereof; read all communications addressed to the Board; and keep the seal and affix the same to all papers that require it;
 - 2) Present to the Board for approval all bills for administrative expenses, and applications for annuities, benefits and refunds;
 - 3) Perform such other duties and functions as are provided by the law governing the System or as prescribed by the Board; and
 - ~~4) Forward to the Chairman, for his approval, all vouchers authorizing expenditures of funds of the System.~~
- g) Actuary. The Actuary shall be the technical advisor of the Board and shall supply the Board with information relating to the technical aspects of the operations of the System. He shall perform such other duties as are required by the law governing the System or as prescribed by the Board.
- h) Legal Advisor. The Attorney General of the State shall be the legal advisor of the Board.

JUDGES RETIREMENT SYSTEM OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 27 Ill. Reg. 9915, effective June 23, 2003.)

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Anhydrous Ammonia, Low Pressure Nitrogen Solutions, Equipment, Containers, and Storage Facilities
- 2) Code Citation: 8 Ill. Adm. Code 215
- 3) Section Numbers: Adopted Action:

215.10	Amend
215.15	Amend
215.20	Amend
215.25	Amend
215.30	Amend
215.35	Amend
215.40	Amend
215.45	Amend
215.50	Amend
215.55	Amend
215.60	Amend
215.65	Amend
215.70	Amend
215.75	Amend
215.80	Amend
215.85	Amend
215.90	Amend
215.95	Amend
215.110	Amend
215.115	Amend
215.120	Amend
- 4) Statutory Authority: Illinois Fertilizer Act of 1961, [505 ILCS 80]
- 5) Effective Date of Amendments: July 1, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 9) Notices of Proposal Published in Illinois Register: December 13, 2002; 27 Ill. Reg. 17473
- 10) Has JCAR issued a Statement of Objections to this rule? 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? N/A
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Revision of the existing anhydrous ammonia safety regulations to update them to conform with new technology and equipment.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Linda Rhodes
Illinois Department of Agriculture
P. O. Box 19281, State Fairgrounds
Springfield, Illinois 62794-9281
Telephone: 217/785-5713
Facsimile: 217/785-4505

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

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER e: FERTILIZERS

PART 215

ANHYDROUS AMMONIA, LOW PRESSURE NITROGEN SOLUTIONS, EQUIPMENT,
CONTAINERS, AND STORAGE FACILITIESSUBPART A: ANHYDROUS AMMONIA, EQUIPMENT, CONTAINERS, AND STORAGE
FACILITIES

Section

215.10	Scope
215.15	Definitions
215.20	Safety Disposal of Anhydrous Ammonia
215.25	Basic Rules Requirements of Construction and Original Test of Containers, Other Than Refrigerated Storage Tanks
215.30	Location of Storage Tanks Manufacturer's Marking Requirements on Containers and Systems
215.35	Markings of Non-Refrigerated Containers and Systems other than DOT Containers Location of Storage Tanks
215.40	Container Appurtenances
215.45	Piping, Tubing and Fittings
215.50	Hose Specifications
215.55	Safety Relief Devices
215.60	Filling Densities Safety
215.65	Transfer of Liquids Filling Densities
215.70	Liquid Level Gauging Devices Transfer of Liquids
215.75	Painting of Containers Tank Car Operations
215.80	Electrical Equipment and Wiring Liquid Level Gauging Devices
215.85	Systems Utilizing Stationary, Pier-Mounted or Skid-Mounted Aboveground Non-Refrigerated Storage Painting of Containers
215.90	Refrigerated Storage Information Sign
215.95	Tank Car Operations Electrical Equipment and Wiring
215.100	Systems Utilizing Stationary, Pier-Mounted or Skid-Mounted Aboveground or Underground Non-Refrigerated Storage
215.105	Systems Mounted on Farm Wagons (Implements of Husbandry) for the Transportation of Anhydrous Ammonia
215.110	Systems Mounted on Farm Wagons (Nurse Tanks) Equipment (Implements of Husbandry) for the Transportation Application of Anhydrous Ammonia

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 215.115 [Systems Mounted on Equipment for the Application of Anhydrous Ammonia Refrigerated Storage](#)
215.120 Administrative Hearings

SUBPART B: NITROGEN FERTILIZER SOLUTIONS

Section

- 215.200 General
215.205 Definitions
215.210 Application of Rules
215.215 Requirement of Construction and Original Test of Containers
215.220 Capacity of Containers
215.225 Container Valves and Accessories
215.230 Piping, Tubing and Fittings
215.235 Hose Specifications
215.240 Safety Devices
215.245 Transfer of Liquids
215.250 Tank Car Loading and Unloading Points and Operations
215.255 Liquid Level Gauging Devices
215.260 Indicating Devices
215.265 Storage Installations for Nitrogen Fertilizer Solutions
215.270 Systems Mounted on Trucks, Semi-trailers and Trailers for Transportation of Nitrogen Fertilizer Solutions
215.275 Systems Mounted on Vehicles and Implements of Husbandry for the Transportation of Nitrogen Fertilizer Solutions
215.280 Systems Mounted on Vehicles and Implements of Husbandry for the Application of Nitrogen Fertilizer Solutions
215.285 Administrative Hearings
- 215.TABLE A Rate of Discharge
215.TABLE B Guide for Selection of Materials for Refrigerated Ammonia Storage Tanks
215.TABLE C Minimum Material Requirements for Shells and Bottoms of Refrigerated Storage Tanks for Various Temperatures and Thicknesses
215.TABLE D Repair Welding
215.TABLE E Safety Pressure Relief Valves

AUTHORITY: Implementing and authorized by Section 14 of the Illinois Fertilizer Act of 1961 [505 ILCS 80/14].

SOURCE: Rules and Regulations Relating to Anhydrous Ammonia, Low Pressure, Nitrogen

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

Solutions, Equipment, Containers and Storage Facilities, filed May 15, 1967, effective May 15, 1967; Rules and Regulations Relating to the Handling of Nitrogen Fertilizer Solutions; filed September 7, 1967, effective September 7, 1967; amended March 31, 1975, effective April 10, 1975; amended March 2, 1976, effective March, 2, 1976; amended December 21, 1977, effective January 1, 1978; codified at 5 Ill. Reg. 10513, effective October 1, 1981; part repealed, new part adopted at 6 Ill. Reg. 2990, effective March 5, 1982; amended at 27 Ill. Reg. 9922, effective July 1, 2003.

SUBPART A: ANHYDROUS AMMONIA, EQUIPMENT, CONTAINERS, AND STORAGE FACILITIES

Section 215.10 Scope

- a) This standard is intended to apply to the design, construction, repair, alteration, refrigerated ammonia storage systems.
- b) This standard does not apply to:
 - 1) ammonia manufacturing plants;
 - 2) refrigeration systems where ammonia is used solely as a refrigerant;
 - 3) ammonia transportation pipelines; and
 - 4) ammonia barges and tankers.
- ~~a) These rules are intended to apply to the design, construction, location, installation, and operation of anhydrous ammonia systems, including refrigerated ammonia storage systems from which the product is used for agricultural ammonia.~~
- ~~b) These rules do not apply to:~~
 - ~~1) anhydrous ammonia manufacturing plants,~~
 - ~~2) air conditioning systems and refrigeration plants where anhydrous ammonia is used solely as a refrigerant. Such systems are covered in American National Standards Safety Code for Mechanical Refrigeration, B-9.1, and~~
 - ~~3) anhydrous ammonia transportation pipelines.~~
- ~~e) Sections 215.25 through 215.100 apply to stationary, non-refrigerated storage~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~installations utilizing containers other than those constructed in accordance with regulations implementing Occupational Safety and Health Act (CFR 29(e)(3)(iii)).~~

- ~~d) Section 215.105 applies to systems mounted on implements of husbandry for the transportation of anhydrous ammonia.~~
- ~~e) Section 215.110 applies to systems mounted on farm vehicles for the application of anhydrous ammonia.~~
- ~~f) Section 215.115 applies to systems utilizing containers for the storage of anhydrous ammonia under refrigerated conditions.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.15 Definitions

“Alteration” means a change in any item described in the original manufacturer’s data report that affects the pressure-containing capability of the container. Rerating a container by increasing maximum allowable working pressure or by increasing or decreasing allowable working temperature shall be considered an alteration.

“Ammonia or anhydrous ammonia” means the compound formed by the chemical combination of the elements nitrogen and hydrogen in the molar proportion of one part nitrogen to three parts hydrogen. This relationship is shown by the chemical formula, NH₃. On a weight basis, the ratio is 14 parts nitrogen to three parts hydrogen or approximately 82% nitrogen to 18% hydrogen. Ammonia may exist in either gaseous, liquid or solid state. It is not to be confused with aqua ammonia (ammonium hydroxide) which is a solution of ammonia in water.

“ANSI” refers to American National Standards Institute, 1430 Broadway, New York NY, and their publication “Safety Requirements for the Storage and Handling of Anhydrous Ammonia”.

“Approved” means listed by a recognized testing laboratory; or recommended by the manufacturer as suitable for use with anhydrous ammonia and so marked or documented; or accepted by the authority having jurisdiction.

“API-ASME Code” refers to the “Code for Unfired Pressure Vessels for Petroleum Liquids and Gases of the American Petroleum Institute and the American Society of Mechanical Engineers” (API-ASME). The API-ASME Code, as a joint publication and

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

interpretation service, was discontinued as of December 31, 1956, and construction of containers to the API-ASME Code has not been authorized since July 1, 1961.

“Appurtenance” refers to all devices such as pressure relief devices, liquid level gauging devices, valves, pressure gauges, pressure regulators, fittings, metering or devices designed to be attached to an ammonia container.

“ASME Code” refers to either paragraph U-68, U-69, U-200 or U-201 of Section VIII of the “Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers”, 1949 edition, or Section VIII, Division I of the “Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers”, 1950 edition through the current edition, including addenda, and applicable Code Case Interpretations.

“ASTM” refers to the “American Society for Testing and Materials”, 1916 Race Street, Philadelphia PA 19103.

“Capacity” means the total volume of the container measured in standard U.S. gallons unless otherwise specified.

“Cargo tank” is a bulk packaging that is:

a tank intended primarily for the carriage of liquids or gases and includes appurtenances, reinforcements, fittings and closures;

permanently attached to or forms a part of a motor vehicle, or is not permanently attached to a motor vehicle but which, by reason of its size, construction or attachment to a motor vehicle is loaded or unloaded without being removed from the motor vehicle; and

not fabricated under a specification for cylinders, portable tanks, tank cars or multi-unit tank car tanks.

“Cargo tank motor vehicle” means a motor vehicle with one or more cargo tanks permanently attached to or forming an integral part of the motor vehicle.

“Chemical splash goggles” or “goggles” means flexible fitting chemical-protective goggles with a hooded indirect ventilation system to provide primary protection of the eyes and eye sockets from the splash of hazardous liquids. Direct vented goggles do not comply with this definition.

“Code” means the Unfired Pressure Vessel Code of the American Society of Mechanical

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

Engineers (Sec. VIII of the ASME Boiler Construction Code), including editions through 1981 or the Joint Code of the American Petroleum Institute and the American Society of Mechanical Engineers (API-ASME Code) including editions through 1981.

“Competent attendant” means a person who has full knowledge of the characteristics of anhydrous ammonia, its safe handling, and safety rules for transfer and application, and has completed an anhydrous ammonia training program conducted by the Department or an equivalent training program approved by the Department. Refresher training shall be at least every three years and documentation of completed training shall be maintained.

“Container” means all tanks, except cylinders, as defined in Section 215.15, used for the transportation or storage of anhydrous ammonia.

“Cylinder” means a pressure vessel designed for pressures higher than 40 psia and having a circular cross section. It does not include a portable tank, multi-unit tank car tank, cargo tank or tank car.

“Department” means the Illinois Department of Agriculture, State Fairgrounds, P. O. Box 19281, Springfield IL 62794.

“Design pressure” is identical to the term “Maximum Allowable Working Pressure” used in the ASME Code.

“Emergency shower” means a shower unit permanently connected to a source of clean water that enables the user to have water cascading over the entire body.

“Eye wash unit” means a device used to irrigate and flush the eyes with clean water. Depending upon the requirements set forth in this standard, the device may be a plumbed unit permanently connected to a source of clean water, or it may be a self-contained unit not permanently installed that must be refilled or replaced after use.

“Filling density” means the percent ratio of the weight of the ammonia permitted in a container to the weight of water at 60°F (15.6°C) that the container will hold when full. One pound of water = 27.74 cubic inches (455 ml) at 60°F (15.6°C). For determining the water capacity of the tank in pounds, the weight of one gallon (231 cubic inches) (3.785 L) of water at 60°F (15.6°C) in air shall be 8.328 lb (3.778 kg).

“Gas mask” means an air-purifying device with full face piece approved by NIOSH under the provisions of 30 CFR Part II, Subpart 1, for use in ammonia contaminated atmosphere in compliance with 29 CFR 1910.134 and selected in accordance with ANSI Z88.2, Respiratory Protection. A gas mask of the air-purifying type must be used only in

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

an atmosphere containing 19.5% to 22.0% oxygen by volume.

“Hydrostatic relief valve” means a pressure relief device for liquid service designed to prevent excessive pressure due to thermal expansion when a pipe or hose is filled with liquid such as between block valves or blinds.

“Immediately Dangerous to Life or Health (IDLH)” means the maximum concentration from which unprotected persons are able to escape within 30 minutes without escape-impairing symptoms or irreversible health effects. The IDLH for ammonia is 300 ppm by volume in accordance with the NIOSH Pocket Guide to Chemical Hazards.

“Implement of husbandry” means a farm wagon-type tank vehicle of not over 3000 gallons capacity, used as a nurse tank supplying the anhydrous ammonia to a field applicator, and moved on highways only for transporting anhydrous ammonia from a local source of supply to farms or fields or from one farm or field to another.

“Institutional occupancy” means a location where people may be unable to vacate voluntarily and shall be deemed to include nursing homes, hospitals, jails, schools and recreational parks.

“Material suitable for use” includes iron, steel and certain non-ferrous alloys that are compatible for use in anhydrous ammonia service. Copper, brass, zinc and certain alloys, especially those containing copper, are not suitable for anhydrous ammonia service.

“National Board Inspection Code” refers to the manual published by the National Board of Boiler and Pressure Vessel Inspectors that provides the rules and guidelines for inspection by a commissioned inspector of the repair, alteration and rerating of containers after being placed into service.

“Permanent storage installation” means a system employing a stationary (fixed) container used exclusively for storage or supply.

“Positive pressure self-contaminated breathing apparatus (SCBA)” means a full face piece respirator approved by NIOSH/MSHA for respiratory protection for both entry into or escape from oxygen-deficient atmospheres or a concentration of gases or vapors that are immediately dangerous to life or health where the supply of air is carried by the wearer. The air pressure inside the face piece is positive in relation to the air pressure of the outside atmosphere during exhalation and inhalation.

“Pressure relief valve” is a device designed to open to prevent an increase in internal vapor pressure in excess of a specified value due to an emergency or abnormal condition

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

and to close and prevent further flow after normal conditions have been restored.

“Private assembly” means a location where people gather together but is not generally open to the public.

“Protective gloves, boots and suits” are items made of rubber or other material impervious to ammonia. Gloves refer to gauntlet-style of sufficient length to allow for cuffing and that provide thermal protection suitable for ammonia exposure.

“psia” means pounds per square inch absolute.

“psig” means pounds per square inch gauge.

“Public assembly” is a location that is generally open to the public and where people gather together, including but not limited to churches, public halls, libraries, clubs and businesses.

“Repair” means the work necessary to restore a container, cylinder or system to a safe and satisfactory operating condition provided there is, in all cases, no deviation from the original design. Repairs include the addition or replacement of pressure nonpressure parts, which do not change the design temperature or pressure of the container, cylinder or system.

“System” means an assembly of equipment consisting essentially of the containers, hoses, appurtenances, pumps, compressors and interconnecting piping.

“Tank” means a vessel designed and constructed for the storage and handling of anhydrous ammonia.

“Transportation regulations” refers to the Hazardous Materials Transportation Regulations of the Federal USDOT. (See the “Code of Federal Regulations”, 49 CFR 100-180, Transportation, including “Specifications for Shipping Containers”).

“Wet hose” is an anhydrous hose with shutoff valves at each end that is capable of containing liquid product at all times.

~~“Anhydrous ammonia” means a compound formed by the combination of the two gaseous elements, nitrogen and hydrogen, in the proportion of one part of nitrogen to three parts hydrogen by volume. Anhydrous ammonia is ammonia gas in compressed and liquefied form. Anhydrous ammonia is not aqueous ammonia which is a solution of ammonia gas in water.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~"ANSI" refers to American National Standards Institute, 1430 Broadway, N.Y., N.Y. and their publication "Safety Requirements for the Storage and Handling of Anhydrous Ammonia" (as adopted this 1st day of January, 1982).~~

~~"Approved" means tested and recommended by manufacturer as suitable for use with anhydrous ammonia and product so marked, or inspected by the Department and found to be in compliance with these rules.~~

~~"Appurtenances" means all devices, such as, system devices, liquid level gauging devices, valves, pressure gauges, fittings, metering or dispensing devices.~~

~~"ASME" refers to the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, New York 10017 (as adopted this 1st day of January, 1982).~~

~~"ASTM" refers to the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103 (as adopted this 1st day of January, 1982).~~

~~"Capacity" means the total volumetric measure.~~

~~"Competent attendant" means a person who has a full knowledge of the characteristics of anhydrous ammonia, its safe handling, safety rules for transfer and application, and has completed an anhydrous ammonia training program conducted by the Department or an equivalent training program approved by the Department.~~

~~"Container" means a vessel, such as, a tank or cylinder used for the storage and handling of anhydrous ammonia.~~

~~"Department" means the Illinois Department of Agriculture, State Fairgrounds, Springfield, Illinois 62706 (217/782-3817).~~

~~"Design pressure" means the maximum allowable working pressure.~~

~~"Filling density" means the percent ratio of the weight of the gas in a container to the weight of water at 60 degrees Fahrenheit (F) that the container will hold. One pound H₂O=27.737 cubic inches at 60 degrees F. For determining the water capacity of the tank in pounds, the weight of a gallon (231 cubic inches) of water at 60 degrees F. in air shall be 8.32828 pounds.~~

~~"Gas" means anhydrous ammonia in either the gaseous or liquefied state.~~

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

~~"Gas mask" means a gas mask approved by the Bureau of Mines (30 CFR Part II, Section 14 f).~~

~~"Hydrostatic relief valve" refers to an automatic pressure activated valve for liquid service characterized by throttle or slow weep opening (non pop off action).~~

~~"Implement of husbandry" means a farm wagon type tank vehicle of not over 2000 gallons capacity, used as a field storage nurse tank supplying the anhydrous ammonia to a field applicator, and moved on highways only for transporting anhydrous ammonia from a local source of supply to farms or fields or from one farm or field to another.~~

~~"Institutional occupancy" is a location where people may be unable to vacate voluntarily and shall be deemed to include nursing homes, hospitals, jails, and schools.~~

~~"Material suitable for use" includes iron, steel and certain non ferrous alloys which are compatible for use in anhydrous ammonia service. Copper, brass, zinc and certain alloys, especially those containing copper, are not suitable for anhydrous ammonia service.~~

~~"Private assembly" is a location where people gather together but is not generally open to the public.~~

~~"Psig" and "psia" means pounds per square inch gauge and pounds per square inch absolute, respectively.~~

~~"Public assembly" is a location that is generally open to the public and where people gather together, including but not limited to, churches, public halls, libraries, clubs and businesses.~~

~~"Safety relief valve" or "pop off valve" is an automatic pressure activated valve for vapor service characterized by pop action upon opening.~~

~~"Secured valve" is a valve which is locked, plugged or capped.~~

~~"Semi trailer" refers to a vehicle designed for carrying anhydrous ammonia, which is drawn by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.~~

~~"System" refers to an assembly of equipment consisting essentially of the container(s), appurtenances, pumps, compressors, and interconnecting piping.~~

~~"Tank" means a vessel designed and constructed for the storage and handling of~~

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

~~anhydrous ammonia.~~

~~"Tank motor vehicle" means any motor vehicle designed or used for the transportation of anhydrous ammonia in any tank designed to be permanently attached to any motor vehicle or any container not permanently attached to any motor vehicle which by reason of its size, construction or attachment to any motor vehicle must be loaded or unloaded without being removed from the motor vehicle.~~

~~"The Code" refers to the Unfired Pressure Vessel Code of the American Society of Mechanical Engineers (Sec. VIII of the ASME Boiler Construction Code), including editions through 1981 or the Joint Code of the American Petroleum Institute and the American Society of Mechanical Engineers (API ASME Code) including editions through 1981 (adopted this 1st day of January, 1982).~~

~~"Wet hose" is an anhydrous hose with shut-off valves at each end and is capable of containing liquid product at all times.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.20 Safety ~~Disposal of Anhydrous Ammonia~~

- a) A competent attendant must be on site any time ammonia is handled, transferred or transported.
- b) All permanent storage installations shall have on hand, at minimum, the following equipment for emergency and rescue purposes:
 - 1) One full-faced gas mask, jointly approved by NIOSH and MSHA, with one spare in date ammonia canister in a readily accessible location, or a self-contained breathing apparatus (SCBA).
 - 2) One pair of protective gloves impervious to anhydrous ammonia.
 - 3) One pair of protective boots impervious to anhydrous ammonia.
 - 4) One protective slicker and/or protective pants and jacket, all impervious to anhydrous ammonia.
 - 5) An easily accessible emergency shower and a plumbed eyewash unit or at least 150 gal of clean water in an open top container.

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

- 6) Chemical splash goggles.
- c) Each cargo tank transferring agricultural ammonia, except an implement of husbandry, shall carry:
 - 1) At least 5 gallons of clean water in a container designed to provide ready access to the water for flushing any area of the body contacted by ammonia.
 - 2) One pair of protective gloves impervious to ammonia.
 - 3) One full-faced gas mask, jointly approved by NIOSH and MSHA, with one spare in date ammonia canister in a readily accessible location.
 - 4) Chemical splash goggles.

~~If it is found necessary to dispose of anhydrous ammonia, it shall be discharged into a vessel containing water sufficient to absorb it. Sufficient water shall be at least ten parts of water per one part anhydrous ammonia. The anhydrous ammonia shall be injected into the water as near the bottom of the vessel as practical.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.25 Basic Rules ~~Requirements of Construction and Original Test of Containers, Other Than Refrigerated Storage Tanks~~

This Section applies to all Sections of this Part unless otherwise noted.

- a) These provisions shall not be construed as prohibiting the continued use or reinstallation of containers constructed and maintained in accordance with the 1949, 1950, 1952, 1956, 1959, 1965, 1968, 1971, 1974, 1977, 1980, 1983, 1986, 1989, 1992, 1995 and 1998 editions of the ASME Code or any revisions thereof in effect at the time of fabrication.
- b) Requirements for new construction and original test, repair, and alterations of containers (including USDOT portable tanks), other than refrigerated storage tanks must comply with the following:
 - 1) Containers used with systems covered in Sections 215.85, 215.110, and 215.115 shall be made of steel or other material compatible with ammonia and tested in accordance with the current ASME Code. An exception to

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

the ASME Code requirements is that construction under Table UW 12 at a basic joint efficiency of under 80% is not authorized.

- 2) Containers designed and constructed in accordance with the ASME Code, other than refrigerated storage containers, shall comply with the following additional requirements:
- A) The entire container shall be postweld heat treated after completion of all welds to the shells and heads. The method employed shall be as prescribed in the ASME Code, except that the provisions for extended time at a lower temperature for postweld heat treatment shall not be permitted. Welded attachments to pads may be made after postweld heat treatment. Exception: implements of husbandry will not require postweld heat treatment if they are fabricated with hot-formed heads or with cold-formed heads that have been stress relieved.
 - B) Steels used in fabricating pressure containing parts of a container shall not exceed a specified tensile strength of 70,000 psi. Exception: implements of husbandry may be fabricated from steel having a specified tensile strength of 75,000 psi.
 - C) Containers shall be inspected by a person who holds a valid National Board Commission. Exception: refrigerated storage tanks with a design pressure of 15 psig or less and containers covered in Section 215.90.
 - D) Repair or alteration of pressure-containing parts of a container shall be performed in compliance with the applicable provisions of the current edition of the National Board Inspection Code. Where specific procedures are not given, it is intended that, subject to acceptance of the inspector, all repair or alteration shall conform as much as possible to the ASME Code section and edition to which the container was constructed.
- a) ~~Containers used with systems covered in 8 Ill. Adm. Code Section 215.100 shall be constructed, installed, and tested as follows:~~
- 1) ~~The Unfired Pressure Vessel Code of ASME, except that construction under Paragraph UW-9 at a basic joint efficiency of under eighty percent is not authorized, and compliance with Paragraphs UG-132 and UG-133~~

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

~~shall not be required, or~~

- ~~2) The 1951 edition of the Joint Code of the American Petroleum Institute and the American Society of Mechanical Engineers (API-ASME), except that a basic joint efficiency of under eighty percent is not authorized, and compliance with Paragraph W 601 through W 609 and ASME's Table A shall not be required.~~
- b) ~~Containers exceeding 36 inches in diameter or 250 gallon capacity shall be constructed to comply with one or more of the following requirements in addition to 8 Ill. Adm. Code Section 215.25(a):~~
 - ~~1) Containers shall be stress-relieved after fabrication in accordance with The Code, or~~
 - ~~2) cold formed heads when used shall be stress-relieved, or~~
 - ~~3) hot formed heads shall be used.~~
- e) ~~Non-Code welding shall be made only on saddles or brackets originally welded to the container by the manufacturer. Non-Code welding directly to the container or any part subject to pressure is not authorized.~~
- d) ~~All containers, except refrigerated storage tanks, with a design pressure of less than 15-psig shall be inspected by a person having a current certificate of competency from the National Board of Boiler and Pressure Vessel Inspectors and employed by an insurance company, municipality, state, or province having laws specifically providing for that type of inspection service. The Department shall not be responsible for any fees involved in this inspection.~~
- e) ~~The provisions of 8 Ill. Adm. Code Section 215.25(a) shall not be construed as prohibiting the continued use or re-installation of containers constructed and maintained prior to the effective date of these rules.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.30 Location of Storage Tanks ~~Manufacturer's Marking Requirements on Containers and Systems~~

- a) Tanks shall be located outside of buildings unless the building is especially constructed for the safe handling and storage of anhydrous ammonia. Permanent

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

storage shall be located outside of densely populated areas and subject to the approval of the Department as follows: If located within the corporate limits of a village, town, or city, written approval of the municipality's governing body or a county zoning permit shall be submitted to the Department before tentative approval to begin construction of a permanent storage facility will be given. The intended storage must be completed and approved by the Department within one year from the date written tentative approval was given. Final approval will be given if the facility and equipment complies with this Part.

- b) Containers shall be located at least 50 feet from a dug well or other source of potable water.
- c) Nurse tank load out risers and containers for newly approved sites after July 1, 2003 shall be a minimum distance of 200 feet from the property line. Installation of additional load out risers or containers at sites approved prior to July 1, 2003 shall be a minimum distance of 75 feet from the property line.
- d) Container locations shall comply with the following distance requirements:

Minimum distances (feet) from container to:

<u>Nominal capacity of containers (gallons)</u>	<u>Railroad mainline property</u>	<u>Place of private or public assembly</u>	<u>Institutional occupancy</u>
<u>001-3,000</u>	<u>100</u>	<u>200</u>	<u>750</u>
<u>over 3,001</u>	<u>100</u>	<u>400</u>	<u>1,000</u>

- e) Offices or buildings integral to the agri-chemical business are exempt from the minimum distance requirement. Excluded from the distance requirement are those installations installed prior to July 1, 2003. The Department will permit replacement storage tanks to be installed. A replacement tank may be of a larger capacity. Replacement tanks must meet all requirements of this Part with the exception of subsection (d). The provisions concerning replacement of tanks applies specifically to installations installed prior to July 1, 2003.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- f) A nurse tank of not more than 3,000 gallons or less than 1,000 gallons water capacity may be used as temporary storage in instances where anhydrous ammonia is used in the manufacturing of liquid or suspension fertilizers provided that written approval of the municipality's governing board or a county zoning permit shall be submitted to the Department before site approval will be given. Approval will be given based upon compliance with the requirement of this subsection (f). The distance of the temporary storage nurse tank shall not be less than 50 feet from the property line or source of drinking water, not less than 200 feet from existing places of private or public assembly, or not less than 750 feet from any place of institutional occupancy. The draw bar must be securely fastened to an anchoring device so as to render the nurse tank immovable while being used in the manufacturing of fertilizer. During the time the site is unattended, all liquid and vapor valves must be plugged or capped.
- g) Container storage areas shall be accessible to emergency vehicles and personnel.
- h) Storage container areas shall be maintained clear of dry grass and weeds and other combustible materials.
- ~~a) Aboveground installation of anhydrous ammonia containers is recommended, but standards for underground container installations are included to provide for those cases where conditions make underground installation desirable.~~
- ~~b) Each container or system covered in 8 Ill. Adm. Code Section 215.100, 215.105, 215.110, and 215.115 shall be marked as follows:~~
- ~~1) With a mark identifying compliance with and other markings required by the rules of The Code under which the container is constructed, with the capacity of the container in pounds or gallons (U.S. Standards), with the working pressure in psig for which the container is designed, and with the thickness of the shell and heads. This information shall appear:~~
- ~~A) On the container and system nameplate on underground installations.~~
- ~~B) On the container on aboveground installations.~~
- ~~2) With the name and address of the supplier of the system or the trade name of the system and the date of manufacture. This information shall appear on the system nameplate for both underground and aboveground containers.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 3) ~~With markings indicating the maximum level to which the container may be filled with liquid at temperatures between 20 degrees Fahrenheit (F) and 100 degrees F., except on containers provided with fixed maximum level indicators or which are filled by weighing. Markings shall be in increments of not more than 20 degrees F and shall appear on the system nameplate or on the liquid level gauging device on both underground and aboveground containers. Refrigerated storage tanks shall be exempt from these requirements but shall be marked to show the maximum permissible liquid level (see 8 Ill. Adm. Code Section 215.65(c)).~~
- 4) ~~With the overall length and outside diameter of the container. This information shall appear:~~
- A) ~~On the system nameplate on underground containers.~~
- B) ~~On the container on aboveground containers.~~
- e) ~~All main operating valves on permanently installed storage containers having a capacity of over 2000 water gallons shall be identified to show whether the valve is in liquid or vapor service. The method of identification shall be by label or color code as follows:~~
- 1) ~~Label: The label LIQUID (or LIQUID VALVE) or VAPOR (or VAPOR VALVE), as appropriate, shall be placed on or within twelve inches of the valve by means of a stencil tag or decal, or~~
- 2) ~~Color Code: Liquid valves shall be painted orange and vapor valves shall be painted yellow. The legend ORANGE LIQUID or YELLOW VAPOR shall be displayed in at least one conspicuous place at each permanent storage location. The legend shall have letters at least two inches high and shall be placed against a contrasting background.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.35 Markings of Non-Refrigerated Containers and Systems other than DOT Containers ~~Location of Storage Tanks~~

- a) Each system nameplate shall be made of a non-corroding metal permanently attached to the system by continuous welding around its perimeter and located so as to be readily accessible for inspection. Nameplates shall be maintained in legible condition and include markings as prescribed.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- b) Each container or system covered in Sections 215.85, 215.90, 215.110 or 215.115 shall be marked as follows:
- 1) With a mark identifying compliance with and other markings required by the rules of the Code under which the container is constructed, with the capacity of the container in pounds or gallons (U.S. Standards), with the working pressure in psig for which the container is designed, and with the thickness of the shell and heads.
 - 2) With the name and address of the supplier of the system or the trade name of the system and the date of manufacture. This information shall appear on the system nameplate for aboveground containers.
 - 3) With markings indicating the maximum level to which the container may be filled with liquid at temperatures between 20°F and 100°F, except on containers provided with fixed maximum level indicators or that are filled by weighing. Markings shall be in increments of not more than 20°F and shall appear on the system nameplate or on the liquid level gauging device on both underground and aboveground containers. Refrigerated storage tanks shall be exempt from these requirements but shall be marked to show the maximum permissible liquid level (see Section 215.60).
 - 4) With the overall length and outside diameter of the container.
- c) All main operating valves on permanently installed storage containers having a capacity of over 2000 water gallons shall be identified to show whether the valve is in liquid or vapor service. The method of identification shall be by label or color code as follows:
- 1) Label: The label LIQUID (or LIQUID VALVE) or VAPOR (or VAPOR VALVE), as appropriate, shall be placed on or within 12 inches of the valve by means of a stencil tag or decal, or
 - 2) Color Code: Liquid valves shall be painted orange and vapor valves shall be painted yellow. The legend ORANGE - LIQUID or YELLOW - VAPOR shall be displayed in at least one conspicuous place at each permanent storage location. The legend shall have letters at least two inches high and shall be placed against a contrasting background.
- d) Containers manufactured after January 1, 2003 shall bear a National Board of Boiler and Pressure Vessel Inspectors stamp indicating registration of the

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

[container with that organization.](#)

a) ~~Tanks shall be located outside of buildings unless the building is especially constructed for the safe handling and storage of anhydrous ammonia. Permanent storage shall be located outside of densely populated areas and subject to the approval of the Department as follows if located within the corporate limits of a village, town, or city, written approval of the municipality's governing body or a county zoning permit shall be submitted to the Department before tentative approval to begin construction of a permanent storage facility will be given. The intended storage must be completed and approved by the Department within one year from the date written tentative approval was given. Final approval will be given if the facility and equipment complies with the Department's rules.~~

b) ~~Containers shall be located at least 50 feet from a dug well or other source of potable water.~~

e) ~~Container locations shall comply with the following distance requirements:
Minimum Distances (feet) from Container to:~~

Nominal Capacity of Container(s) (Gallons)	Property Line, Right of Way and Railroad Mainline	Place of private or Public Assembly	Institutional Occupancy
001 to 2,000	50	150	750
Over 2,001	50	400	1000

001 to 2,000	50	150	750
Over 2,001	50	400	1000

d) ~~Office or warehouse associated with anhydrous business is exempt from the minimum distance requirement. Excluded from this Section are those installations installed prior to the effective date of these rules. The Department will permit replacement storage tanks to be installed. A replacement tank may be of a larger capacity. Replacement tanks must meet all requirements of these rules with the exception of 8 Ill. Adm. Code Section 215.35(c). The provisions concerning replacement of tanks applies specifically to installations installed prior to the effective date of these rules.~~

e) ~~A nurse tank of not more than 2,000 gallons or less than 1,000 gallons water capacity may be used as temporary storage in instances where anhydrous ammonia is used in the manufacturing of liquid or suspension fertilizers provided that written approval of the municipality's governing board or a county zoning permit shall be submitted to the Department before site approval will be given. Approval will be given based upon compliance with the requirements of this~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~paragraph. The distance of the temporary storage nurse tank shall not be less than 50 feet from the property line or source of drinking water, not less than 150 feet from existing places of private or public assembly, or not less than 750 feet from any place of institutional occupancy. The draw bar must be securely fastened to an anchoring device so as to render the nurse tank immovable while being used in the manufacturing of fertilizer. During the time the place is unattended, all liquid and vapor valves must be secured.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.40 Container Appurtenances

- a) All appurtenances of each system shall be approved.
- b) All appurtenances shall be designed for no less than the maximum working pressure of the portion of the system on which they are installed. All appurtenances shall be fabricated from materials proved suitable for anhydrous ammonia service.
- c) All connections to containers except connections for pressure relief devices, thermometer well, liquid level gauging devices, or connections fitted with No. 54 (0.055 inches) drill size orifice or those plugged shall have shutoff valves located as close to the container as practical.
- d) Excess flow valves shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The piping, including valves and fittings in the same flow path as the excess flow valve, shall have a greater capacity than the rated flow of the excess flow valve.
- e) Liquid level gauging devices that require bleeding of the product to the atmosphere and that are so constructed that outward flow will not exceed that passed by a No. 54 (0.055 inches) drill size opening need not be equipped with excess flow valves.
- f) An opening in a container to which a pressure gauge connection is made need not be equipped with an excess flow valve if the opening is not larger than No. 54 (0.055 inches) drill size.
- g) An excess flow or back-pressure check valve, when required in this Section, shall be installed directly in the container opening or a point outside where the line enters the container. In the latter case the installation shall be made in such a

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

manner that any undue strain beyond the excess flow or back-pressure check valve shall not cause breakage between the valve and the container.

- h) Excess flow valves shall be designed with a by-pass, not to exceed a No. 60 (0.040 inches) drill size opening, to allow equalization of pressure.
- i) Shutoff valves with an integral excess flow valve shall be designed for proper installation in a container opening so that the excess flow valve will close in the event that the valve body, extending above the coupling, is sheared or broken off.
- j) All excess flow valves shall be plainly and permanently marked with the name or trademark of the manufacturer, the catalog number, and the rated capacity.
- k) Each filling connection on non-refrigerated containers shall have a positive shutoff valve in conjunction with either an approved internal back-pressure check valve or an approved internal excess flow valve. Vapor connections on non-refrigerated containers shall have a positive shutoff valve together with an approved internal excess flow.
- ~~a) All appurtenances shall be designed for not less than the maximum working pressure of that portion of the system on which they are installed. All appurtenances shall be fabricated from materials suitable for use in anhydrous ammonia service.~~
- ~~b) All connections to containers, except safety relief connections and gauging devices, shall have shutoff valves located as close to the container as practicable.~~
- ~~c) Liquid level gauging devices, which are so constructed that outward flow of container content shall not exceed that passed by a No. 54 drill size opening, need not be equipped with excess flow valves.~~
- ~~d) Container openings or through fittings (directly on container and used for pressure gauge connections) need not be equipped with excess flow valves if such openings are protected by a vent hole not larger than a No. 54 drill size hole.~~
- ~~e) All excess flow valves shall be clearly and permanently marked with the name or trademark of the manufacturer, the catalog number, and the rated capacity.~~
- ~~f) Excess flow valves shall close automatically at the vapor or liquid rated flows as specified by the manufacturer. The connections and line, including appurtenances being protected by an excess flow valve, shall have a greater capacity than the~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~rated flow of the excess flow valve so the valve will close in case of failure at any point in the line or fittings.~~

- ~~g) Excess flow and back pressure check valves shall be located inside the container or at a point outside where the line enters the container. In the latter case, installation shall be made in such a manner that any undue strain, beyond the excess flow or back pressure check valve, will not cause breakage between the container and the excess flow valve.~~
- ~~h) Excess flow valves shall be designed with a by pass, not to exceed a No. 60 drill size opening, to allow equilization of pressure.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.45 Piping, Tubing and Fittings

- a) All piping, tubing, and fittings shall be made of steel or other material suitable for anhydrous ammonia service. Brass, copper, or galvanized steel pipe or tubing shall not be used.
- b) All piping, tubing, and fittings shall be designed for a pressure no less than the maximum pressure to which they will be subjected in service.
- c) All piping shall be supported to prevent damage to the pipes. Provisions shall be made for expansion, contraction, jarring, vibration, and settling. All refrigeration system piping shall conform to the Refrigeration Piping Code (ANSI B31.5) as it applies to anhydrous ammonia.
- d) Piping used on non-refrigerated systems shall be at least ASTM A53 Grade B seamless or electric resistance welded pipe. Pipe joints shall be threaded, welded, or flanged. Pipe shall be at least Schedule 40 when joints are welded or welded and flanged. Pipe shall be at least Schedule 80 when joints are threaded. Threaded nipples shall be seamless. Welding shall be done by a welder certified in accordance with the ASME Code, Section IX, "Welding Qualifications". Tubing joints shall be made up with flared, flareless, or compression type fittings complying with ANSI/SAE J513f , ANSI/ASME B31.3, or ANSI/ASME B31.5.
- e) Metal, flexible connections may be used for permanent installations to provide for expansion, contraction, jarring, vibrating, and settling. In no case shall the angle of the connection exceed 15 degrees. Such connection used for non-refrigerated installations shall have a minimum working pressure of 350 psig.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- f) Cast iron fittings shall not be used. Those parts of valves that are subjected to gas pressure shall be made of steel, ductile (nodular) iron, or malleable iron. Ductile iron shall meet the requirements of ANSI/ASTM A395 and malleable iron the requirements of ANSI/ASTM A47.
- g) Adequate provisions shall be made to protect all exposed piping from physical damage that might result from impact by moving machinery, automobiles or trucks, or any other equipment at the facility. Underground piping is allowable.
- h) Joint compounds shall be resistant to ammonia at the maximum pressure and temperature to which they may be subjected in service.
- i) After assembly, all piping, fittings, and tubing shall be tested and proved to be free from leaks at a pressure no less than the normal operating pressure of the system.
- ~~a) All piping, tubing and fittings shall be made of material suitable for use in anhydrous ammonia service.~~
- ~~b) All piping, tubing, and fittings shall be designed for a pressure not less than the maximum pressure to which they may be subjected in service.~~
- ~~c) All piping shall be supported to prevent damage to the pipes. Provisions shall be made for expansion, contraction, jarring, vibration, and for settling. All refrigeration system piping shall conform to the Refrigeration Piping Code (ANSI B31.5) as it applies to anhydrous ammonia.~~
- ~~d) Piping used on non-refrigerated systems shall be at least ASTM A 53 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equivalent. Such pipe shall be at least Schedule 40 when joints are welded, or welded and flanged. Such pipe shall be at least Schedule 80 when joints are threaded.~~
- ~~e) Metal, flexible connections may be used to provide for expansion, contraction, jarring, vibrating, and for settling. In no case shall the angle of the connection exceed 15 degrees. All such connections shall comply with the standards set forth in ANSI K 61.1, Section 2.7.5.~~
- ~~f) Cast iron fittings shall not be used, but this rule shall not prohibit the use of fittings made especially for anhydrous ammonia service of malleable or nodular iron, such as, Specification ASTM A47 or ASTM A395.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- ~~g) Provisions shall be made to protect all exposed piping from physical damage that might result from moving machinery, the presence of automobiles or trucks, or any other undue strain that may be placed upon the piping.~~
- ~~h) Joint compounds shall be compatible with anhydrous ammonia.~~
- ~~i) After assembly, all piping and tubing shall be tested and proven free of leaks at a pressure not less than the normal operating pressure of the system.~~
- ~~j) Connecting more than one storage tank to a single manifold line is prohibited unless the combined rated flow of the excess flow valves in all connected tanks does not exceed the maximum capacity of the main manifold line. Should the capacity of the line be reduced, excess flow valves of equal to or smaller capacity than the maximum capacity of the line are to be installed at the point of reduction.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.50 Hose Specifications

- a) Hose used in ammonia service and subject to container pressure shall conform to the American National Standard RMA IP-14, "Specifications for Anhydrous Ammonia Hose".
- b) Hose subject to container pressure shall be designed for a minimum working pressure of 350 psig and a minimum burst pressure of 1750 psig. Hose assemblies, when made up, shall be capable of withstanding a test pressure of 500 psig.
- c) Hose and hose connections located on the low-pressure side of flow control, or pressure-reducing valves on devices discharging to atmospheric pressure, shall be designed for the maximum low-side working pressure. All connections shall be designed, constructed, and installed so that there will be no leakage when connected. Shutoff valves on the end of liquid and vapor transfer hoses shall be equipped with bleed valves to enable the operator to bleed off pressure prior to disconnecting the hoses except when using minimum loss valve.
- d) Where liquid transfer hose is not drained of liquid upon completion of transfer operations, such hose shall be equipped with an approved shutoff valve at the discharge end. Provision shall be made to prevent excessive hydrostatic pressure in the hose.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- e) On all hose 0.5 inch O.D. and larger used in ammonia service and subject to container pressure, there shall be etched, cast, or impressed at 5 ft. intervals on the outer hose cover the following information:

Anhydrous Ammonia
XXX psig (Maximum Working Pressure)
Manufacturer's Name or Trademark
Year of Manufacture

- f) Hose in service shall be requalified periodically in accordance with requirements specified in CGA P-7, Standard for Requalification of Cargo Tank Hose Used in the Transfer of Carbon Dioxide Refrigerated Liquid.

- g) Hoses used for transferring material (both liquid and vapor) to and from nurse tanks shall be restricted to a 30 feet maximum length and shall be racked when not in use to prevent undue damage to hose.

- ~~a) Hoses used in anhydrous ammonia service and subject to container pressure shall conform to the joint Rubber Manufacturers Association's and the Fertilizer Institute's "Hose Specifications for Anhydrous Ammonia" (Table B of the Joint Association's booklet).~~

- ~~b) Hoses subject to container pressure shall be designed for a minimum working pressure of 350 psig and a minimum burst pressure of 1750 psig. Hose assemblies shall be capable of withstanding a test pressure of 500 psig.~~

- ~~e) Hose and hose connections located on the low pressure side of flow control or pressure reducing valves on devices discharging at atmospheric pressure shall be designed for the maximum low side working pressure. All connections shall be designed, constructed, and installed so there will be no leakage when connected.~~

- ~~d) Where liquid transfer hose is not drained upon completion of transfer operations, such hose shall be equipped with an approved shutoff valve at the discharge end. Provisions shall be made to prevent excessive pressure in the hose (see 8 Ill. Adm. Code Section 215.55(j)).~~

- ~~e) On hoses one half inch in diameter or larger which are used for the transfer of anhydrous ammonia liquid or vapor, there shall be etched, cast, or impressed at five foot intervals the following information:~~

~~Anhydrous Ammonia~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~xxx psig (Maximum Working Pressure)
Manufacturer's Name or Trademark
Year of Manufacture~~

- ~~f) Hoses used for transferring material (both liquid and vapor) to and from nurse tanks shall be restricted to a 25 feet maximum length and shall be racked when not in use to prevent undue damage to hose.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.55 Safety Relief Devices

- a) Every container used in systems covered by Sections 215.85, 215.110, and 215.115 without permanent supply piping to another source of excess pressure shall be protected from excess pressure by one or more pressure relief valves of the spring loaded type conforming with applicable requirements of ASME UG-125(c)(3); UL-132, "Standard on Safety Relief Valves for Anhydrous Ammonia and LP Gas", or other equivalent pressure relief valve standard.
- b) Pressure relief valves shall be in direct communication with the vapor space of the container. All pressure relief discharge openings shall have suitable rain caps that will allow free discharge of the vapor and prevent the entrance of water. Provision shall be made for draining condensate that may accumulate.
- c) The discharge from pressure relief valves shall be vented away from the container, upward, and unobstructed to the atmosphere.
- d) Container relief device pressure shall be set to discharge at no more than 125% maximum allowable working pressure for containers built by the 1949 ASME Code Sections U-68 and U-69, and no more than 100% for those built by all subsequent ASME Codes. Set pressure tolerance is +10% to 0% for non-refrigerated containers.
- e) Pressure relief valves used on containers covered by Sections 215.85, 215.110, and 215.115 shall be constructed to discharge at not less than the rates required in Appendix B before the pressure is in excess of 121% of the maximum allowable working pressure of the container. Relief protection for any other reason shall use ASME UG-125 through UG-136.
- f) Pressure relief valves shall be so arranged that the possibility of tampering will be minimized. If the pressure setting adjustment is external, the relief valves shall be

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

provided with means for sealing the adjustment.

- g) Shutoff valves shall not be installed between the pressure relief valves and the containers or systems covered by Sections 215.85, 215.110, and 215.115.
- h) Relief valves shall be installed in a manifold that has a required rate of discharge and so installed to allow either of the pressure relief valves to be closed off but does not allow both pressure relief valves to be closed off at the same time, or other suitable device so that they can be replaced while the container remains pressurized. Containers designed with internal pressure relief systems are exempt from this requirement.
- i) Each pressure relief valve used with systems covered by Sections 215.85, 215.110, and 215.115 shall be plainly and permanently marked as follows:
- 1) With the letters "AA" or the symbol "NH₃";
 - 2) The pressure in psig at which the valve is set to start-to-discharge;
 - 3) The rate of discharge of the valve in cubic feet per minute of air at 60°F and atmospheric pressure;
 - 4) Year of manufacture; and
 - 5) The manufacturer's name and catalog number.
- j) Piping or connections on either the upstream or downstream side shall not restrict the flow capacity of the relief valve.
- k) The manufacturer or supplier of a pressure relief valve manifold shall publish complete data showing the flow rating through the combined assembly of the manifold with pressure relief valves installed. The manifold flow rating shall be determined by testing the manifold with all but one valve discharging. If one or more openings have restrictions not present in the remaining openings, the restricted opening or openings, or those having the lowest flow, shall be used to establish the flow rate marked on the manifold nameplate. The marking shall be similar to that required in Section 215.55 for individual valves.
- l) A hydrostatic relief valve, venting into the atmosphere at a safe location, shall be installed between each pair of shutoff valves in an ammonia line where the liquid may be trapped, except when the hose or line is protected by an internal

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

equalizing valve with a differential pressure so designed as to not exceed 50 psig. Refrigerated ammonia terminals may utilize hydrostatic relief valves with set points less than 350 psig and not in excess of 500 psig for piping systems.

- m) The discharge opening from any pressure relief valve shall not terminate inside any building or below the highest roof line of any such building.
- n) A pressure relief device shall be subject to a systematic, periodic, visual external inspection at least annually to determine that it:
- 1) Meets the applicable requirements specified in this Section;
 - 2) Is free of evidence of tampering, damage, corrosion, or foreign matter that might prevent proper operation;
 - 3) Is free of leakage when subject to pressures below the minimum allowable start-to-discharge setting;
 - 4) Has a properly installed rain cap or other device to avoid entry of moisture or other matter into the relief valve outlet; and
 - 5) Has an open weep hole to permit moisture to escape.
- o) Any deficiency as may be found in subsection (n) shall require immediate corrective action, replacement, or repair of the pressure relief device as may be appropriate.
- p) As of July 1, 2004 no container pressure relief device shall be used over 5 years after installation and in no instance no more than 7 years past the manufactured date. Records shall be maintained that identify each container and indicate the date of installation for the pressure relief devices. If no date is specified, a pressure relief valve shall be replaced no later than five years following the date of its manufacture or last repair unless it has first been disassembled, inspected, repaired, and tested by the manufacturer, or by a qualified repair organization, in a manner such that the valve's condition and performance is certified as being equivalent to the standards for the original valve. The data regarding repairs or reassembly shall be indicated by stamping the body or attaching a tag pertaining to the valve with the month and year to replace or re-certify.
- a) ~~Every container used in the storage or transporting of anhydrous ammonia shall be provided with one or more safety relief valves of the spring loaded type. The~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~discharge from safety relief valves shall be vented away from the container, upward and unobstructed into the atmosphere. All safety relief valve discharge openings shall have raincaps that will allow free discharge of the vapor and prevent the entrance of water. Provision shall be made for draining condensation which may accumulate. The rate of discharge shall be in accordance with 8 Ill. Adm. Code Section 215. Table A.~~

- b) ~~Container safety relief valves shall be set to start to discharge in relation to the design pressure of the container as follows:~~

Containers	Minimum	Maximum
ASME U 68, U 69	110%	125%
ASME U 200, U 201	95%	100%
ASME 1952, 1956, 1959, 1962, 1965, 1968 or 1971	95%	100%
API ASME	95%	100%

~~Containers — Minimum — Maximum —~~

~~ASME U 68, U 69 — 110% — 125% —~~

~~ASME U 200, U 201 — 95% — 100% —~~

~~ASME 1952, 1956, 1959 — — —~~

~~1962, 1965, 1968 or 1971 — 95% — 100% —~~

~~API ASME — 95% — 100% —~~

~~Department of Transportation (as required by Hazardous Materials Regulations, Section 173.315 (I-3 and 3)).~~

- e) ~~Safety relief devices shall be constructed to discharge at not less than the rates required in 8 Ill. Adm. Code 215.55(a) before the pressure is in excess of 120% (not including the 10% tolerance referred to in 8 Ill. Adm. Code 215.55(b)) of the maximum permitted start to discharge pressure setting of the device.~~
- d) ~~Safety relief valves shall be arranged so the possibility of tampering will be minimized. If the pressure setting adjustment is external, the relief valve adjustment shall be sealed.~~
- e) ~~Shutoff valves shall not be installed between the safety relief valves and the containers, except a shutoff valve may be used where the arrangement of this valve always affords required capacity flow through the relief valves. Examples:~~
- 1) ~~A three way valve installed under two safety relief valves, each of which has the required rate of discharge and is so installed as to allow either of~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- ~~the safety valves to be closed, but does not allow both safety valves to be closed at the same time.~~
- 2) ~~Two separate relief valves are installed with individual shutoff valves. In this case, the two shutoff valve stems shall be mechanically interconnected in a manner which will allow full required flow of one safety relief valve at all times.~~
- 3) ~~A safety relief valve manifold which allows one valve of two, three, four, or more to be closed and the remaining valve(s) will provide not less than the rate of discharge to allow the proper cubic feet per minute of air in relation to tank capacity as shown in 8 Ill. Adm. Code Section 215. Table A.~~
- f) ~~Safety relief valves shall have direct communication with the vapor space of the container.~~
- g) ~~Each safety relief valve used with systems shall be plainly and permanently marked as follows:~~
- 1) ~~With the letters "AA" or the symbol "NH3".~~
 - 2) ~~The pressure in psig at which the valve is set to start to discharge.~~
 - 3) ~~The rate of discharge of the valve in cubic feet per minute of the air at 60 degrees F. and atmospheric pressure (14.7 psia).~~
 - 4) ~~The manufacturer's name and catalog number. For example: A safety relief valve marked AA 250 4200 (air) means this valve is suitable for use on an anhydrous ammonia container, it is set to start to discharge at 250 psig, and its rate of discharge (see 8 Ill. Adm. Code Section 215.55 (a), (b) and (c)) is 4200 cubic feet per minute of air.~~
- h) ~~The flow capacity of the safety relief valve shall not be restricted by any connection to it on either the upstream or downstream side.~~
- i) ~~The manufacturer or supplier of a safety relief valve manifold shall furnish complete data showing the flow rating through the combined assembly of the manifold with safety relief valves installed. The manifold flow rating shall be determined by testing the manifold with all but one valve discharging. If one or more openings have restrictions not present in the remaining openings, the~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~restricted opening or openings or those having the lowest flow shall be used to establish the flow rate marked on the manifold nameplate. The markings shall be the same as required in 8 Ill. Adm. Code Section 215.55(g) for individual valves.~~

- ~~j) A hydrostatic relief valve, venting to atmosphere at a safe location, shall be installed between each pair of shutoff valves in an ammonia line where the liquid may be trapped, except when the hose or line is protected by an internal equalizing valve with a differential pressure so designed as to not exceed 50 psig. The start to discharge pressure of hydrostatic relief valves shall be not less than 350 psig and not in excess of 400 psig.~~
- ~~k) Discharge from safety relief devices shall not terminate within or beneath any building.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.60 Filling Densities ~~Safety~~

- ~~a) Filling density is limited to 85% capacity by volume at 60°F.~~
- ~~b) The filling densities for non-refrigerated containers shall not exceed the following:
 - ~~1) Uninsulated aboveground 56%;~~
 - ~~2) Insulated aboveground 57%.~~~~
- ~~c) US Department of Transportation containers shall be filled in accordance with Hazardous Materials Transportation Regulations, 49 CFR 173.315(m)(5).~~
- ~~d) If containers other than refrigerated containers are to be filled according to liquid level by any gauging method other than a fixed length dip tube gauge, each container shall have a thermometer well and thermometer so that the internal liquid temperature can be easily determined and the amount of liquid and vapor in the container corrected to a 60°F basis.~~
- ~~a) A competent attendant is required to transfer anhydrous ammonia and shall be trained in safe operating practices, use of equipment, safety devices, and the proper action to take in the event of emergencies.~~
- ~~b) All storage systems shall have on hand, as a minimum, the following equipment~~

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

~~for emergency and rescue purposes:~~

- ~~1) One gas mask with 2 refill canisters suitable for anhydrous ammonia use. Canisters shall not be opened until ready for use and shall be discarded after use. Canisters outside date limitations will not be accepted as meeting the requirements of this rule.~~
- ~~2) One pair of protective gloves made of material impervious to anhydrous ammonia (NH₃).~~
- ~~3) One pair of protective boots made of material impervious to anhydrous ammonia (NH₃).~~
- ~~4) One protective slicker or protective pants and jacket made of material impervious to anhydrous ammonia (NH₃).~~
- ~~5) Easily accessible shower or at least 75 gallons of clean water in an open top container.~~
- ~~6) Tight fitting, vented chemical goggles.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.65 Transfer of Liquids ~~Filling Densities~~

- a) If it is found necessary to dispose of anhydrous ammonia, it shall be discharged into a vessel containing water sufficient to absorb it. Sufficient water shall be at least ten parts of water per one part anhydrous ammonia. The anhydrous ammonia shall be injected into the water as near the bottom of the vessel as practical.
- b) A competent attendant shall supervise the transfer of liquids from the time the connections are first made until the rail car is finally disconnected or the transport truck is completely unloaded and finally disconnected. Any time the site is unattended, the tank car shall not be connected to the unloading riser. During the transfer operations of the transport, chock blocks shall be so placed as to prevent rolling of the vehicle.
- c) Containers shall be filled or used only upon authorization of owners.
- d) Containers shall be gauged and charged only in the open air or in a building

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

especially provided for that purpose.

- e) Pumps used for transferring anhydrous ammonia shall be recommended for anhydrous ammonia service by the manufacturer or documented for such service by the owner/operator using recognized and accepted good engineering methods.
- 1) Liquid pumps may be piston, rotary, centrifugal or regenerative type for 250 psig working pressure.
 - 2) Positive displacement pumps shall be equipped with a pressure actuated by-pass valve on the discharge side of the pump. This valve shall operate to limit the pressure developed by the pump to the maximum for which the pump is rated. Piping or tubing sized to carry the full capacity of the pump at the actuation pressure of this valve shall connect the discharge of this valve with the container from which ammonia is being pumped. If this line is capable of being closed off by a valve, an additional by-pass device shall be incorporated in the pump to by-pass back to the suction port. The pressure actuated by-pass valve and the return piping or tubing shall be installed in accordance with the pump manufacturer's recommendations or documented for such service by the owner/operator using recognized and generally accepted good engineering methods.
 - 3) A pressure gauge graduated from at least 0 to 400 psig shall be installed before the relief valve line on the discharge side of the pump.
 - 4) Centrifugal or regenerative pumps do not require a bypass valve, but the installation shall incorporate a line from the discharge side of the pump to the vapor space of the supplying tank and a shutoff valve shall be installed in this line.
- f) Plant piping shall contain shutoff valves located as close as practical to the pump connections.
- g) Compressors used for transferring or refrigerating ammonia shall be recommended for ammonia service by the manufacturer or documented for such service by the owner/operator using recognized and generally accepted good engineering methods.
- 1) Compressors, except those used for refrigeration, shall be designed for at least 250 psig working pressure. Crank cases of compressors not designed to withstand system pressure shall be protected with a suitable pressure

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

relief valve.

- 2) Plant piping shall contain shutoff valves located as close as practical to compressor connections.
 - 3) A relief valve large enough to discharge the full capacity of the compressor shall be connected to the discharge before any shutoff valve. The discharging pressure of this valve shall not exceed 300 psig and shall be installed so that it will be vented in a safe location if discharged.
 - 4) Compressors, except those used in refrigeration, shall have pressure gauges graduated from 0-400 psig at suction and discharge.
 - 5) Adequate means, such as a drainable liquid trap, shall be provided on the compressor suction to minimize the entry of the liquid into the compressor.
- h) Loading and unloading systems shall be protected by backflow check valves or properly rated excess flow valves to prevent the emptying of the storage containers in the event of severance of the hose.
 - i) Transport trucks shall not be utilized for bulk storage of anhydrous ammonia. It must be transferred into permanent storage of a capacity equal to or greater than the transport truck.
 - j) Railway tank cars must be transferred into permanent storage of a capacity equal to 50% of the railway tank car.
 - k) All storage tank system liquid and vapor valves must be closed and locked during the time the plant is unattended. Either hose end lock boxes or locking caps or chains may be used on the risers. In lieu of locking the valves, a security fence with two gates on opposite sides shall be installed and kept locked during the time the plant is unattended.
 - l) The transfer of anhydrous ammonia from a tank car or transport to any other unit for the purpose of converting anhydrous ammonia to aqueous ammonia shall only be done upon a railway spur owned or leased to the operator of the transferring facility where the railway tank car can be retained for an indefinite period and where an aqueous converter is installed at a site. The transfer must be done in one continuous operation. The requirements of Section 215.30 must be met before the site and facility will be approved by the Department. Approved anhydrous

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

ammonia installations designed for converting aqueous ammonia must have sufficient permanent storage to permit continuous and uninterrupted unloading from railway tank cars or trucks.

- m) Provision must be made to prevent bleeding of transport and rail car liquid lines or hoses into the atmosphere when disconnecting. This shall be done through the use of a wet hose with a shutoff valve at each end of the hose, by bleeding into water at no greater rate than one gallon of anhydrous ammonia to ten gallons of ammonia-free water to prevent discharge of fumes into the atmosphere, or with an approved recovery vapor system.
- n) A certified statement shall be filed on forms furnished by the Department stating that all the requirements of this Section, safety equipment, and requirements of this Part have been met. This statement must be filed with the Department before final approval of the facility will be given by the Department. No operation shall begin until final approval has been issued.
- o) The filling of mobile containers with a capacity of 3,000 gallons or less with anhydrous ammonia is permissible only at a permanent storage facility approved by the Department for this purpose. Anhydrous ammonia may be transferred from a cargo tank motor vehicle with a maximum capacity of 6,000 gallons into containers of 3,000 gallons capacity or less mounted on farm vehicles or containers of 6,000 gallons mounted on motor-driven applicators. This transfer operation is limited to rural areas and only on the premises of the consignee. This transfer operation must meet all safety requirements of Section 215.20. Department approved anhydrous ammonia meters or on board scales shall be employed for this operation. Meters or on board scales shall conform with the Weights and Measures Act [225 ILCS 470] and 8 Ill. Adm. Code 600. The selling price quotation, actual billing, and reporting to the Department shall be done in pounds or tons.
- p) Meters used for the measurement of liquid anhydrous ammonia shall be recommended for ammonia service by the manufacturer and approved by the Department. When dual purpose meters are used and when changing from LPG to anhydrous ammonia or vice versa, it is necessary to adjust the coefficient of the expansion scale to the proper setting for the product being metered. This adjustment will require the removal of the Illinois Weights and Measures Seal. Section 42 of the Weights and Measures Act requires that the person who breaks such seal be registered pursuant to that Act.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- q) Liquid meters shall be designed for a minimum working pressure of 250 psig.
- r) The metering system shall incorporate devices that will prevent the inadvertent measurement of vapor.
- s) Transferring of anhydrous ammonia from a DOT cargo tank motor vehicle must comply with Sections 177.834 (a) to (j) and 177.840 of the Illinois Hazardous Materials Transportation Regulations.
- a) ~~Filling density is limited to 85% capacity by volume at 60 degrees F.~~
- b) ~~The filling densities for nonrefrigerated containers shall not exceed the following:~~
- | | Above Ground | Underground |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------|
| 1) Unisolated | 56% | 58% |
| 2) Insulated | 56% | |
| 3) Department of Transportation containers shall be filled in accordance with Hazardous Material Transportation Regulations (Subch.C, Rule 171.6) | | |
- e) ~~The filling density for refrigerated storage tanks shall be such that the tanks will not be liquid full at a liquid temperature corresponding to the vapor pressure at the start to discharge pressure setting of the safety relief valve.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.70 Liquid Level Gauging Devices ~~Transfer of Liquids~~

- a) Each container, except those filled by weight, shall be equipped with an approved liquid level gauging device.
- b) Each container or system covered in Sections 215.85, 215.110, and 215.115 shall be fitted with a liquid level gauge indicating the maximum level to which the container may be filled with liquid anhydrous ammonia at temperatures between 20°F and 100°F, except on containers provided with fixed maximum level indicators, such as fixed length dip tubes or containers that are filled by weight. Marks shall be in increments of not more than 20°F. See Section 215.60 regarding the requirement for thermometer well and thermometer.
- c) Gauging devices that require bleeding of the product to the atmosphere, such as

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

the rotary tube, fixed tube, and slip tube devices, shall be designed so that the maximum opening of the bleed valve is not larger than No. 54 (0.055 in.) drill size unless provided with an excess flow valve. (This requirement does not apply to farm vehicles used for the application of ammonia as covered in Section 215.115.)

- d) Gauging devices shall have a design pressure equal to or greater than the design pressure of the container on which they are installed.
- e) Fixed maximum liquid level gauges shall be designed and installed to indicate a volumetric level not to exceed 85% of the container's water capacity.

Note: This does not apply to refrigerated storage.

- f) Gauge glasses of the columnar type shall be restricted to stationary non-refrigerated storage installations. They shall be equipped with shutoff valves having metallic hand wheels, excess flow valves, and extra heavy glass adequately protected with a metal housing applied by the gauge manufacturer. They shall be shielded against the direct rays of the sun.
- ~~a) A competent attendant shall supervise the transfer of liquids from the time the connections are first made until the rail car is finally disconnected or the transport truck is completely unloaded and finally disconnected. Any time site is unattended, the tank car shall not be connected to the unloading riser. During the transfer operations of the transport, chock blocks shall be so placed as to prevent rolling of the vehicle.~~
- ~~b) Containers shall be filled or used only upon written authorization of owners.~~
- ~~c) Containers shall be gauged and charged only in the open air or in a building especially provided for that purpose.~~
- ~~d) Pumps used for transferring anhydrous ammonia shall be recommended and labelled for anhydrous ammonia service by the manufacturer.~~
 - ~~1) Liquid pumps may be piston, rotary, centrifugal or regenerative type for 250 psig working pressure.~~
 - ~~2) Positive displacement pumps shall have installed off the discharge port a constant differential relief valve discharging through a line of sufficient size to carry the full capacity of the pump at relief valve setting, which~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~setting and installation shall be according to pump manufacturer's recommendation.~~

- ~~3) A pressure gauge graduated from 0 to 400 psig shall be installed before the relief valve line on the discharge side of the pump.~~
- ~~4) Centrifugal or regenerative pumps do not require a bypass valve, but the installation shall incorporate a line from the discharge side of the pump to the vapor space of the supplying tank and a shutoff valve shall be installed in this line.~~
- ~~e) Plant piping shall contain shutoff valves located as close as practical to the pump connections.~~
- ~~f) Compressors used for transferring or refrigerating anhydrous ammonia shall be recommended and labelled for anhydrous ammonia service by the manufacturer.~~
 - ~~1) Compressors may be reciprocating or rotary design for 250 psig working pressure.~~
 - ~~2) Plant piping shall contain shutoff valves located as close as practical to compressor connections.~~
 - ~~3) A relief valve large enough to discharge the full capacity of the compressor shall be connected to the discharge before any shutoff valve. The discharging pressure of this valve shall not exceed 300 psig and shall be installed so that it will be vented in a safe location if discharged.~~
 - ~~4) Compressors shall have pressure gauges graduated from 0-400 psig at suction and discharge.~~
 - ~~5) Adequate means, such as a drainable liquid trap, shall be provided on the compressor suction to minimize the entry of the liquid into the compressor.~~
- ~~g) Loading and unloading systems shall be protected by backflow check valves or properly sized excess flow valves to prevent the emptying of the storage container(s) in the event of severance of the hose.~~
- ~~h) Transport trucks shall not be utilized for bulk storage of anhydrous ammonia. It must be transferred into permanent storage of a capacity equal to or greater than~~

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

~~the transport truck.~~

- i) ~~Railway tank cars must be transferred into permanent storage of a capacity equal to 50% of the railway tank car. Sites not able to meet the 50% transfer requirement shall apply to the Department annually for a Letter of Authorization. The Department shall, after inspecting the site and its facilities and if these are found in compliance with these rules, except for the 50% transfer requirement, issue a one year permit allowing the transfer of anhydrous ammonia at such site. In the case of Paragraph k of this section, no letter of authorization is required.~~
- j) ~~All transport or railroad loading and unloading riser liquid and vapor valves must be secured valves or a security fence with two gates on opposite sides shall be installed and kept locked during the time the plant is unattended.~~
- k) ~~The transfer of anhydrous ammonia from a tank car or transport to any other unit for the purpose of converting anhydrous ammonia to aqueous ammonia shall only be done upon a railway spur owned or leased to the operator of such facility where the railway tank car can be retained for an indefinite period and where an aqueous converter is installed at a site. The transfer must be done in one continuous operation. The requirements of Section 215.35 must be met before such site and facility will be approved by the Department. Approved anhydrous ammonia installations designed for converting aqueous ammonia must have sufficient permanent storage to permit continuous and uninterrupted unloading from railway tank cars or trucks.~~
- l) ~~Provision must be made to prevent bleeding of transport and rail car liquid lines or hoses into the atmosphere when disconnecting. This shall be done through the use of wet hose with a shut-off valve at each end of the hose, by bleeding into water at no greater rate than one gallon of anhydrous ammonia to ten (10) gallons of ammonia free water to prevent discharge of fumes into the atmosphere, or with an approved recovery vapor system.~~
- m) ~~A certified statement shall be filed on forms furnished by the Department stating that all the requirements, safety equipment, and the requirement of these rules have been met. This statement must be filed with the Department before final approval of facility will be given by the Department. No operation shall begin until final approval has been issued.~~
- n) ~~The filling of mobile containers with a capacity of 2000 gallons or less with anhydrous ammonia is permissible only at a permanent storage facility approved by the Department for this purpose. Anhydrous ammonia may be transferred~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~from a transport truck or other vehicle with a maximum capacity of 5,000 gallons into containers of 2,000 gallons capacity or less mounted on farm vehicles or containers of 3,000 gallons mounted on motor-driven applicators. This transfer operation is limited to rural areas and only on the premises of the consignee. Department approved anhydrous ammonia meters shall be employed for this operation. Meters shall conform with the Weights and Measures Act (Ill. Rev. Stat. 1979, Ch. 147, Para. 101 et seq.). The selling price quotation, actual billing, and reporting to the Department shall be done in pounds or tons.~~

- ~~o) Meters used for the measurement of liquid anhydrous ammonia shall be recommended and labelled for ammonia service by the manufacturer and approved by the Department. When dual purpose meters are used and when changing from LPG to anhydrous ammonia or vice versa, it is necessary to adjust the coefficient of the expansion scale to the proper setting for the product being metered. This adjustment will require the removal of the Illinois Weights and Measures Seal. Paragraph 142 of the Illinois Weights and Measures Law (Ill. Rev. Stat. 1979, Ch. 147) requires that the person who breaks such seal be registered pursuant to that Act.~~
- ~~p) Liquid meters shall be designed for a minimum working pressure of 250 psig.~~
- ~~q) The metering system shall incorporate devices that will prevent the inadvertent measurement of vapor.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.75 Painting of Containers ~~Tank Car Operations~~

All uninsulated containers shall be painted white or a light reflecting color.

- ~~a) Caution signs shall be so placed on the track or car as to give necessary warning to persons approaching car from open end or ends of siding. These signs shall be left up until after car is unloaded and disconnected from discharge connections. Durable signs shall be at least 12 by 15 inches in size and bear the words "STOP-Tank Car Connected" or "STOP-Men at Work". The word "STOP" shall be in letters at least 4 inches high and the other words in letters at least 2 inches high on a background of contrasting color.~~
- ~~b) The track of a tank car siding shall be substantially level.~~
- ~~e) Brakes shall be set and wheels blocked on all cars being unloaded.~~

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

- d) ~~Tank cars of anhydrous ammonia shall be unloaded only at permanent storage locations.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.80 Electrical Equipment and Wiring ~~Liquid Level Gauging Devices~~

- a) Electrical equipment and wiring for use in ammonia installations shall be general purpose or weather resistant as appropriate.
- b) Where concentrations of ammonia in air in excess of 16% by volume are likely to be encountered, electrical equipment and wiring shall be installed to comply with the requirements specified for use in hazardous locations, Class I, Group D, of ANSI/NFPA 70, National Electrical Code, Articles 500 and 501.
- a) ~~Each container, except containers filled by weight, shall be equipped with a liquid level gauging device of approved design.~~
- b) ~~All gauging devices shall be arranged so that the maximum liquid level to which the container may be filled is readily determined.~~
- c) ~~Gauging devices that require bleeding of the product to the atmosphere, such as the rotary tube, fixed tube and slip tube, shall be so designed that the bleed valve maximum opening is not larger than a No. 54 drill size, unless the device is equipped with an excess flow valve.~~
- d) ~~Gauging devices shall have a design working pressure at least equal to the design pressure of the storage tank on which they are used.~~
- e) ~~Fixed liquid level gauges shall be so designed that the maximum volume of the container filled by liquid shall not exceed 85 percent of its water capacity. The coupling into which the fixed liquid level gauge is threaded must be placed at the 85 percent level of the container. If located elsewhere, the dip tube of this gauge must be installed in such a manner that it cannot be readily removed. This does not apply to refrigerated storage of anhydrous ammonia.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.85 Systems Utilizing Stationary, Pier-Mounted or Skid-Mounted Aboveground Non-Refrigerated Storage ~~Painting of Containers~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- a) This Section applies to stationary, pier-mounted, skid-mounted, aboveground non-refrigerated storage installations using containers other than those constructed in accordance with DOT specifications. Section 215.25 applies to this Section unless otherwise noted. Underground storage tanks are prohibited.
- b) The minimum design pressure for non-refrigerated containers shall be 250 psig. U-68 and U-69 ASME Code containers with a design pressure of 200 psig are acceptable for reinstallation if re-certified to 250 psig in accordance with National Board Inspection Code procedures.
- c) All vapor and liquid connections, except for pressure relief valves and those specifically exempted in Section 215.40, shall be equipped with approved excess flow valves (back-pressure check valves are acceptable for filling connections); or, in lieu thereof, may be fitted with approved quick-closing internal valves that, except during operating periods, shall remain closed.
- d) Each storage container shall be provided with a pressure gauge graduated from 0 psig to 400 psig. Gauges shall be designated for use in ammonia service.
- e) All containers shall be equipped with a suitable vapor equalizing connection.
- f) All containers shall be equipped with a fixed maximum liquid level gauge.
- g) Every container shall be provided with one or more pressure relief valves of spring-loaded or equivalent type that shall comply with the following specifications:
- 1) Relief valves shall be installed in a manifold or other suitable device so that they can be replaced while the container remains pressurized. Internal relief valves are exempt from this requirement.
 - 2) The discharge from pressure relief valves shall be vented away from the container, upward and unobstructed to the open air to an area such that persons, property, and the environment will not be harmed. Vent pipes shall not be restrictive or smaller in size than the pressure relief valve outlet connection. All pressure relief valves shall have suitable rain caps that will allow free discharge of the vapor and prevent the entrance of water. Suitable provision shall be made for draining condensate that may accumulate.
 - 3) If desired, vent pipes from two or more pressure relief devices located on

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

the same unit, or similar lines from one or more different units, may be run into a common header, provided the cross-sectional area of the header is at least equal to the sum of the cross-sectional areas of the individual vent pipes.

- h) Internal relief valves shall not be used on any tank manufactured after July 1, 2003.
- i) Containers shall be provided with substantial reinforced concrete footings and foundations or structural steel supports mounted on reinforced concrete foundations. In either case, the reinforced concrete foundations or footings shall extend below the established frost line and shall be of sufficient width and thickness to support the total weight of the containers and contents adequately. Where required by local codes, seismic loads shall be considered in the design of the footings and foundations. The foundation shall maintain the lowest point of the tank not less than 36 inches above the ground. Floating type foundations shall also be acceptable providing the foundations are designed to adequately support tank, contents, and piping. See Section 215.45. Skid-mounted units shall include all piping and pumps or compressors as one unit. If the design of such a unit precludes a minimum of 24 inches ground-to-tank clearance, bottom-side inlet, outlet valves and piping are prohibited. Skid-mounted anhydrous ammonia storage tanks must be installed on permanent concrete footings or adequate floating reinforced concrete slabs.
- j) Horizontal aboveground containers shall be mounted on foundations in such a manner as to permit expansion and contraction. Every container shall be supported so as to prevent the concentration of excessive loads. If supports of the saddle type are employed, the bearing afforded by the saddles shall extend over at least one third of the circumference of the shell. Suitable means for preventing corrosion shall be provided on that portion of the container in contact with the foundations or saddles.
- k) Secure anchorage or adequate pier height shall be provided against container flotation wherever sufficiently high flood water might occur.
- l) All anhydrous ammonia storage locations shall have a permanent working platform installed at each nurse tank or applicator loading location. The working platform shall be designed to allow for connecting and disconnecting of transfer hoses without standing on equipment being loaded. Note: This Section does not apply to nurse tanks or applicators with a working surface designed for loading

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

purposes.

- m) Effective September 1, 2004, all stationary storage installations with systems for filling nurse tanks or cargo vessels with container capacity of 5000 water gallons or less shall have all vapor and liquid risers protected against any break resulting from a pull-away. Each vapor and liquid hose shall be protected with an individually properly rated excess flow, a manual control valve, and a break-away or shear fitting designed to conform with good engineering practices.
- n) The horizontal distance between aboveground containers of over 2000 gallon capacity shall be at least 5 feet.
- o) Each container or group of containers shall be marked on at least two sides that are visible with the words ANHYDROUS AMMONIA or CAUTION – AMMONIA in sharply contrasting colors with letters not less than 4.0 inches high. Two diamond type, non-flammable gas, UN 1005, Department of Transportation placards may be displayed with letters not less than 4.0 inches high.
- p) Containers and appurtenances shall be located or protected by suitable barriers so as to avoid damage by trucks or other vehicles. Main container shutoff valves shall be kept closed and locked when the installation is unattended.
- q) Storage containers need not be electrically grounded. When an electrical system exists, such as for lights or pump motors, the electrical system shall be installed and grounded in a manner as required by the National Electrical Code or local ordinance.
- r) A sign with letters of a minimum height of two inches giving the name and telephone number, including area code, of owner, manager or agent of the anhydrous ammonia storage location shall appear at the site entrances to the property or apart from the storage tanks.

~~All aboveground containers shall be painted white or a light reflecting color.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.90 Refrigerated Storage ~~Information Sign~~

- a) This Section applies specifically to systems using tanks for storage of anhydrous ammonia under refrigerated conditions. Section 215.25 applies to this Section

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

unless otherwise stated.

- b) Tanks may be designed for any storage pressure desired as determined by economical design of the refrigerated system.
- c) The design temperature shall be the minimum temperature to which the container will be refrigerated and shall be so designated.
- d) Containers with a design pressure exceeding 15 psig shall be constructed in accordance with Section 215.25 and the material shall be selected from those listed in API Standard 620, Design and Construction of Large, Welded, Low-Pressure Storage Tanks, Tables 2.02, R.2.2, R.2.3, or R.2.4.
- e) Tanks with a design pressure of 15 psig or less shall be constructed in accordance with the general requirements of API Standard 620, including Appendix R.
- f) When austenitic stainless steels or nonferrous metals are used, the ASME Code shall be used as a guide in selection of materials for use at the design temperature.
- g) Tanks shall be supported on suitable noncombustible foundations designed to accommodate the type of tank being used.
- h) Adequate protection against flotation or other water damage shall be provided wherever high flood water might occur.
- i) Tanks storing product at less than 32°F shall be supported in such a way, or heat shall be supplied, to prevent the effects of freezing and subsequent frost heaving of the soil.
- j) The area surrounding a refrigerated tank, or group of such tanks, shall be provided with drainage, diked, or provided with other secondary containment systems to prevent accidental discharge of liquid from spreading to uncontrolled areas.
- k) When drainage is employed, a slope of not less than 1% shall be provided. The drainage system shall terminate in an impounding basin having a capacity as large as the largest tank served.
- l) Provision shall be made for the drainage of rain water from the dike or impounding area. Such drainage shall be provided with a positive means to stop the flow.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- m) Where a dike is employed, the capacity of the diked enclosure shall be 110% of the capacity of the largest tank served. When computing the volume of the dike, allowance shall be made for the volume displaced by all other containers in the diked area.
- n) The walls of a diked enclosure or the wall of an impounding basin used in a drainage system shall be of earth, steel, concrete, or other suitable material designed to be liquid tight and to withstand the hydrostatic pressure and temperature. Earth walls shall have a flat top at least 2 feet wide. The slope shall be stable and consistent with the angle of repose of the earth used.
- o) The ground in an impounding basin or with a diked enclosure should be graded so that small spills or the early part of a large spill will accumulate at one side or corner, thereby contacting only a relatively small area of ground and exposing a relatively small area for heat gain. Shallow channels in the ground surface or low curbs of earth can help guide the liquid to these low areas without contacting a large ground area.
- p) Each refrigerated container shall be marked with a nameplate on the outer covering in an accessible place as specified in the following:
- 1) With the name and address of the builder and the date of fabrication;
 - 2) With the maximum volume or weight of the product, whichever is most meaningful to the user;
 - 3) With the design pressure;
 - 4) With the minimum temperatures in degrees Fahrenheit (°F) or degrees Celsius (°C) for which the container was designed;
 - 5) With the maximum allowable water level to which the container may be filled for the test purposes;
 - 6) With the density of the product in pounds per cubic foot or kilograms per cubic meter for which the container was designed; and
 - 7) With the maximum level to which the container may be filled with liquid anhydrous ammonia.
- q) Each refrigerated container shall be marked on two directly opposite sides at near

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

eye level with the words ANHYDROUS AMMONIA or CAUTION – AMMONIA in sharply contrasting colors with letters not less than 4.0 inches high.

- r) Each refrigerated container shall be conspicuously marked with a hazard warning label complying with 29 CFR 1910.1200.
- s) Shutoff valves shall be:
 - 1) Provided for all connections except those with a No. 54 (0.055 inches) drill size restriction, plugs, pressure relief valves, and thermometer wells; and
 - 2) Located as close to the tank as practical.
- t) A check valve shall be installed on the tank liquid fill connection if it is located below the maximum liquid level. A remotely operated shutoff valve shall be installed on other connections located below the maximum liquid level. See Section 215.65.
- u) Each refrigerated container shall be equipped with an approved liquid level gauging device and high liquid level alarm.
- v) The tank shall be provided with a system of one or more pressure relief valves that can limit the tank pressure below 115% (110% if only one pressure relief valve is used) of the design pressure during operational emergency conditions other than fire and below 121% of the design pressure during operational emergency conditions that include fire. One of the pressure relief valves shall be set to start to discharge at a pressure not in excess of the design pressure of the tank, and all other pressure relief valves needed to limit the tank pressure below 115% (110% if only one pressure relief valve is used) of the design pressure during operational emergency conditions other than fire shall be set to discharge at a pressure not in excess of 105% of the design pressure. All additional pressure relief valves needed to limit the tank pressure below 121% of the design pressure during operational emergency conditions, including fire, shall be set to start to discharge at a pressure not in excess of 110% of the design pressure.
- w) The pressure relief valve set to discharge below 105% of the design pressure of the tank shall have a total relieving capacity in excess of the relieving capacity required to handle operating emergency conditions listed in subsection (x). The total relieving capacity of all the pressure relief valves in the system shall be the

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

larger requirement of subsection (x) or (y).

- x) Possible refrigeration system upsets are cooling water failure; power failure; instrument air or instrument failure; mechanical failure of any equipment; excessive pumping rates; and changing atmospheric conditions.
- y) Use either of the following formulas for fire exposure. Relief valve sizing for fire protection may be adjusted to protect against the worst possible fire exposure.
- 1) For valve manufacturers who classify valves on the basis of the weight of the vapors to be relieved:

$$\underline{W} \equiv \frac{34\,500 F A^{0.82}}{\underline{L}}$$

- 2) For valve manufacturers who classify valves on the basis of air flow:

$$\underline{Qa} \equiv \frac{633\,000 F A^{0.82}}{\underline{LC}} \sqrt{\underline{V}} \frac{\underline{ZT}}{\underline{M}}$$

- 3) Where:

W ≡ weight of vapors to be relieved in pounds/hour at relieving conditions

Qa ≡ air flow in cubic feet per minute at standard conditions 60°F and 14.7 psi

F ≡ fireproofing credit. Use F = 1.0 except when an approved fireproofing material of recommended thickness is used, in which case use F = 0.2

A ≡ total surface area in square feet up to 25 feet above grade or to the equator of a sphere, whichever is greater

Z ≡ compressibility factor of ammonia at relieving condition (if not known, use Z = 1.0)

T ≡ temperature in degrees R (460 + temperature in °F of gas at relieving conditions)

M ≡ molecular weight = 17 for ammonia

L ≡ latent heat of ammonia at relieving conditions in Btu per pound

C ≡ constant based on relation of specific heats (C may be obtained

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

from the following table)

(If K is not known, use C = 315)

<u>K</u>	<u>C</u>	<u>K</u>	<u>C</u>	<u>K</u>	<u>C</u>
<u>1.00</u>	<u>315</u>	<u>1.26</u>	<u>343</u>	<u>1.52</u>	<u>366</u>
<u>1.02</u>	<u>318</u>	<u>1.28</u>	<u>345</u>	<u>1.54</u>	<u>368</u>
<u>1.04</u>	<u>320</u>	<u>1.30</u>	<u>347</u>	<u>1.56</u>	<u>369</u>
<u>1.06</u>	<u>322</u>	<u>1.32</u>	<u>349</u>	<u>1.58</u>	<u>371</u>
<u>1.08</u>	<u>324</u>	<u>1.34</u>	<u>351</u>	<u>1.60</u>	<u>372</u>
<u>1.10</u>	<u>327</u>	<u>1.36</u>	<u>352</u>	<u>1.62</u>	<u>374</u>
<u>1.12</u>	<u>329</u>	<u>1.38</u>	<u>354</u>	<u>1.64</u>	<u>376</u>
<u>1.14</u>	<u>331</u>	<u>1.40</u>	<u>356</u>	<u>1.66</u>	<u>377</u>
<u>1.16</u>	<u>333</u>	<u>1.42</u>	<u>358</u>	<u>1.68</u>	<u>379</u>
<u>1.18</u>	<u>335</u>	<u>1.44</u>	<u>359</u>	<u>1.70</u>	<u>380</u>
<u>1.20</u>	<u>337</u>	<u>1.46</u>	<u>361</u>	<u>2.00</u>	<u>400</u>
<u>1.22</u>	<u>339</u>	<u>1.48</u>	<u>363</u>	<u>2.20</u>	<u>412</u>
<u>1.24</u>	<u>341</u>	<u>1.50</u>	<u>364</u>		

4) Where:

$$\underline{K} \equiv \frac{\underline{Cp} \text{ at atmospheric conditions}}{\underline{Cv}}$$

Cp \equiv specific heat of vapor at constant pressure

Cv \equiv specific heat of vapor at constant volume

z) Shutoff valves of adequate flow capacity may be provided and used to facilitate inspection and repair of pressure relief valves. When a shutoff valve is provided, it shall be so arranged that it can be locked or sealed open, and it shall not be closed except by an authorized person who shall remain stationed there while the valve remains closed and who shall again lock or seal the valve open when leaving the station.

aa) Pressure relief valves shall comply with the following:

1) If stacks are used they shall be suitably designed to prevent obstruction by rain, snow, ice, or condensate.

2) The outlet size shall not be smaller than the nominal size of the pressure

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

relief valve outlet connection.

- bb) Discharge lines may be used if desired. Multiple pressure relief valves on the same storage unit may be run into a common discharge header. The discharge line and header shall be designed to accommodate the maximum flow and a back pressure not exceeding 10% of the design pressure of the storage container. This back pressure shall be included to limit total tank pressure below 121% of the design pressure given in subsection (v). No other container or system shall exhaust into this discharge line or header. The vent lines shall be installed to prevent accumulation of liquid in the lines.
- cc) The discharge from pressure relief valves shall be vented away from the container, upward and unobstructed to the open air to an area such that persons, property, and the environment will not be harmed. All pressure relief valves shall have suitable rain caps that will allow free discharge of the vapor and prevent the entrance of water. Suitable provision shall be made for draining condensate that may accumulate.
- dd) Atmospheric storage shall be provided with vacuum breakers of adequate capacity to respond to anticipated rates of liquid withdrawal and to rapid atmospheric changes so as to avoid damage to the container. Ammonia gas may be used to provide a pad.
- ee) Pressure relief valves used to protect other systems at refrigerated storage installations shall discharge to the open air unless connected to a control device as defined in Section 215.55.
- ff) Because emergency venting for a double-wall refrigerated storage tank is complex, no calculation method is presented here. A thorough analysis of the fire relief for a double-wall refrigerated storage tank should be conducted.
- gg) Refrigerated storage containers and appurtenances shall comply with the provisions of Section 215.40.
- hh) Containers of such size as to require a field fabrication shall, when moved and reinstalled, be reconstructed and re-inspected in complete accordance with the original requirements under which they were constructed. The containers shall be subjected to a pressure retest, and if re-rating is necessary, it shall be done in accordance with the applicable pressure of the original requirements.
- ii) The total refrigeration load shall be computed as the sum of the following:

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 1) Load imposed by heat flow into the container caused by the temperature differential between the ambient temperature and the storage temperature;
 - 2) Load imposed by heat flow into the tank caused by maximum sun radiation; and
 - 3) Maximum load imposed by filling the tank with ammonia warmer than the design storage temperature.
- jj) More than one storage tank may be handled by the same refrigeration system.
- kk) A minimum of two compressors shall be provided, either of which is of sufficient size to handle the loads listed in subsections (ii)(1) and (ii)(2), except as provided in subsection (mm). Where more than two compressors are provided, minimum standby equipment equal to the largest normally operating equipment shall be installed. Compressors required for subsection (ii)(3) may be used as standby equipment for compressors required in subsections (ii)(1) and (ii)(2).
- ll) Compressors shall be sized to operate with a suction pressure at least 10% below the minimum setting of the pressure relief valves on the storage tank and shall withstand a suction pressure at least equal to 121% of the design pressure of the tank. Discharge pressure will be governed by condensing conditions.
- mm) Where facilities are provided to safely dispose of vented vapor to an automatic flare or to a process unit, a single compressor of sufficient size to handle the load listed in subsections (ii)(1) and (ii)(2) shall be allowed.
- m) Each compressor shall have its own drive unit.
- oo) Any standard drive consistent with good design may be used.
- pp) An emergency source of power of sufficient capacity to handle the loads listed in subsections (ii)(1) and (ii)(2) shall be provided unless facilities are provided to safely dispose of vented vapors while the refrigeration system is not operating.
- qq) The refrigeration system shall be arranged with suitable controls to govern the compressor operation in accordance with the load as evidenced by the pressure in the containers.
- rr) An emergency alarm system shall be installed to function in the event the pressure in the containers rises to the maximum or falls to the minimum allowable

DEPARTMENT OF AGRICULTURE
NOTICE OF ADOPTED AMENDMENTS

operating pressure.

- ss) An emergency alarm and shutoff shall be located in the condenser system to respond to excess discharge pressure caused by failure of the cooling medium.
- tt) All automatic controls shall be installed in a manner to preclude operation of alternate compressors unless the controls will function with the alternate compressors.
- uu) An entrainment separator of suitable size and design pressure shall be installed in the compressor suction line. The separator shall be equipped with a drain and gauging device. A maximum liquid level control with alarm should be installed.
- vv) An oil separator of suitable size shall be installed in the compressor discharge line. It shall be designed for at least 250 psig and shall be equipped with a gauging device and drain valve. A maximum oil level control with alarm should be installed.
- ww) A separator shall be equipped with a pressure relief valve if the separator can be isolated with shutoff valves.
- xx) The condenser system may be cooled by air or water or both. The condenser shall be designed for at least 250 psig. Provision shall be made for purging noncondensibles either manually or automatically.
- yy) The condenser shall be equipped with a pressure relief valve if the condenser can be isolated with shutoff valves.
- zz) A condenser effluent receiver shall be provided that is equipped with automatic level controls and valving designed to discharge the liquid ammonia to storage, or with a high-pressure liquid drain trap of suitable capacity. The receiver shall be designed for at least 250 psig operating pressure and be equipped with the necessary connections, pressure relief valves, and gauging device.
- aaa) Refrigerated containers and pipeline that are insulated shall be covered with a material of suitable quality and thickness for the temperatures encountered. Insulation shall be suitably supported and protected against the weather. Weatherproofing and insulation shall be of a type that will not support flame propagation and will not cause corrosion when wet.
- bbb) Each refrigerated storage installation shall have on hand the minimum safety

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

equipment required in Section 215.20.

- ccc) In addition to the safety equipment requirement in Section 215.20, each refrigerated storage installation shall have on hand at least two independently supplied, positive-pressure SCBAs and at least two approved encapsulating corrosive chemical suits that are impervious to ammonia. Each shall be designed to accommodate an SCBA.
- ddd) A sign with letters of a minimum height of two inches giving the name and telephone number, including area code, of owner, manager or agent of the anhydrous ammonia storage location shall appear at the site entrances to the property or apart from the storage tanks.

~~A sign with letters of a minimum heights of two inches giving the name, address, and telephone number of owner, manager or agent of the anhydrous ammonia storage location shall appear at the site entrance(s) to the property or apart from the storage tanks.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.95 Tank Car Operations ~~Electrical Equipment and Wiring~~

- a) Anhydrous ammonia tank cars shall be transferred only at permanent storage locations into permanent storage containers.
- b) Transfer operations shall be performed by a competent attendant.
- c) Rail track at tank car transfer positions shall be essentially level.
- d) Brakes shall be set and the wheels blocked in both directions on all tank cars being loaded or unloaded.
- e) Caution signs shall be so placed on the track or car to give necessary warning to persons approaching the car from the open end or ends of the siding. The signs must be of metal or other comparable material at least 12 inches high by 15 inches wide in size, and bear the words, STOP – TANK CAR CONNECTED or STOP – MEN AT WORK, the word STOP being in letters at least 4 inches high. Other words should be in letters at least 2 inches high. The letters must be white on blue background. A car so protected must not be coupled or moved. The signs must remain in place until the tank car valves have been closed and the transfer lines have been disconnected.

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- f) A standard derail must be properly set and secured in the derailing position between the car being loaded or unloaded and other cars being moved on the same track.
- g) After a transfer, all valves shall be closed and transfer lines disconnected. Caps or plugs on tank car sample valves, liquid valves, vapor valves, and gauging device valves shall be replaced and made wrench tight. Slip tube gauging devices shall be secured and gauge housings screwed in place. Protective housing covers must be secured and pinned and proper seals put in place when required. Leaks from any source on a tank car shall be stopped before a car may be released to the carrier.
- a) ~~Electrical equipment and wiring for use in anhydrous ammonia installations shall be either general purpose or weather resistant as appropriate.~~
- b) ~~Where concentrations of ammonia in air in excess of 16% by volume are likely to be encountered, electrical equipment and wiring shall be of a type specified by and installed in accordance with National Electrical Code (National Fire Prevention Association 70, ANSI C1) for Class 1, Group D locations.~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.110 Systems Mounted on Farm Wagons (Nurse Tanks) Equipment (Implements of Husbandry) for the Transportation Application of Anhydrous Ammonia

- a) This Section applies to containers of 3,000 gallons water capacity or less and related equipment mounted on farm wagons (implements of husbandry) that are used for the transportation of ammonia. Section 215.25 applies to this Section unless otherwise noted.
- b) Containers shall be constructed in accordance with Section 215.25. The shell or head thickness of any container shall not be less than 3/16 of an inch. All containers over 500 gallons capacity should be equipped with semi-rigid baffle plates.
- c) A suitable "stop" or "stops" shall be mounted on the farm wagon or on the container in such a way that the container shall not be dislodged from its mounting due to the farm wagon coming to a sudden stop. Back slippage shall also be prevented by proper methods.
- d) A suitable "hold-down" device shall be provided that will anchor the container to

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

the farm wagon at one or more places on each side of the container.

- e) When dual containers are mounted on four-wheel farm wagons the weight shall be distributed evenly over both axles. Dual containers mounted on the same running gear must be of the same capacity.
- f) When the cradle and the container are not welded together, suitable material shall be used between them to reduce abrasion.
- g) All containers shall be equipped with a fixed maximum liquid level gauge.
- h) All containers shall be equipped with a pressure gauge having a dial graduated from 0 psi to 400 psi.
- i) The filling connection of each container shall comply with the requirements of Section 215.40(k).
- J) All containers shall be equipped with an approved vapor-equalizing valve unless equipped for spray loading.
- k) All vapor and liquid connections, except pressure relief valves and those specifically exempt in Section 215.40(e) and (f) shall be equipped with approved excess flow valves or may be fitted with quick-closing internal valves that shall remain closed except during operating periods.
- l) Fittings shall be protected from physical damage by means of a rigid guard designed to withstand static loading in any direction equal to twice the weight of the container and lading using a safety factor of 4 based upon the ultimate strength of the material used. If the guard encloses the pressure relief valve, the valve shall be properly vented through the guard.
- m) If a liquid withdrawal line is installed in the bottom of a container, the connections thereto, including hose, shall not be lower than the lowest horizontal edge of the farm wagon axle. The hose shall be drained and depressurized prior to the container being moved or towed on a public road.
- n) Provision shall be made to secure both ends of the hose in transit.
- o) All containers shall be painted white or a light reflecting color.
- p) Marking of container –

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 1) Placard: Four diamond type, nonflammable gas, UN 1005, Department of Transportation placards shall be displayed (one on each side and one on each end).
- 2) Marking: The words ANHYDROUS AMMONIA shall appear on each side and each end in letters no less than two inches high.
- 3) Each container shall be marked with the words INHALATION HAZARD in two inch letters on two opposing sides.
- 4) The words LIQUID or VAPOR shall be placed on or within 12 inches of the appropriate valve by means of stencil, tag, decal, or color coding with a legible legend ORANGE LIQUID and YELLOW VAPOR on the tank.
- 5) The container need not be marked or placarded on one end if that end contains valves, fittings, regulators, or gauges when those appurtenances prevent the markings and placard from being properly placed and visible.
- q) Farm wagons operating on public roads shall be provided with a slow-moving vehicle (SMV) emblem consisting of a fluorescent orange triangle with a red reflective border. On and after September 1, 2004, the specifications of the SMV shall be the type recommended by the American Society of Agricultural Engineers specification ASAE S 276.5 NOV 97.
- r) All farm wagons shall be securely attached to the vehicle drawing them by means of drawbars supplemented by suitable hitch pins with clips and safety chains permanently attached to the farm wagon.
- s) A farm wagon shall be constructed so that it will follow substantially in the path of the towing vehicle and will prevent the towed farm wagon from whipping or swerving dangerously from side to side. Farm wagons require safety chains with a combined breaking strength of at least the weight of the laden nurse tank.
- t) A farm wagon shall not be towed or parked in public places such as school yards, malls, or hospital grounds.
- u) Each person operating, repairing appurtenances, or inspecting a nurse tank must comply with the following requirements:
 - 1) Any person required to handle, transfer, transport, or otherwise work with ammonia shall be trained to understand the properties of ammonia, to

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

become competent in safe operating practices, and to take appropriate actions in the event of a leak or an emergency; and

- 2) Any person making, breaking, or testing any ammonia connection, transferring ammonia, or performing maintenance or repair on an ammonia system under pressure shall wear protective gloves impervious to ammonia and chemical splash goggles. A full face shield may be worn over the goggles; however, a face shield shall not be worn as a substitute for a primary eye protection device (goggles).
- v) For first aid purposes each nurse tank shall be equipped with at least 5 gallons of clean water in a container mounted on top or side of the tank designed to provide ready access to the water for flushing any area of the body contacted by ammonia.
- w) Prior to the addition of a chemical additive, its compatibility with system components shall be verified by the manufacturer of the additive.
- x) Storage of Containers: When a nurse tank containing 10% or more of anhydrous ammonia is at an unattended approved storage site, the manually controlled valves shall be plugged or capped or locked or the nurse tank shall be stored inside a locked, fenced enclosure. Nurse tanks shall be stored no less than 50 feet from the edge of the adjacent road, 200 feet from place of private or public assembly and 750 feet from place of institutional occupancy. All pressure and liquid gauges must be in working order.
- ~~a) This section applies to systems mounted on farm equipment and used for the field application of anhydrous ammonia. 8 Ill. Adm. Code Sections 215.25 through 215.95 apply to this section unless otherwise noted.~~
- ~~b) Design, working pressure and classification of containers:~~
- ~~1) Containers shall be constructed in accordance with 8 Ill. Adm. Code Section 215.25 with a minimum design pressure of 250 psig.~~
- ~~2) The shell or head thickness of any container shall not be less than 3/16 of an inch.~~
- ~~e) Mounting of containers:~~
- ~~1) All containers and flow control devices shall be securely mounted.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 2) ~~Applicators must be marked the same way as systems mounted on farm wagons transporting anhydrous ammonia (see 8 Ill. Adm. Code Section 215.105(e).~~
- d) ~~Containers, valves and accessories:—~~
- 1) ~~Each container shall have a fixed liquid level gauge.~~
- 2) ~~The filling connection shall be fitted with a positive shutoff valve in conjunction with either an internal back pressure check valve or an internal excess flow valve.~~
- 3) ~~To assist in filling applicator tanks, it will be permissible to bleed the tank to open air provided the controlling orifice of the bleeder valve is not in excess of 5/16 inch in diameter. In this instance, an excess flow valve is not required.~~
- 4) ~~Metering devices may be connected directly to the tank withdrawal valve. A union type connection is permissible between the tank valve and metering device. Remote mounting of metering devices is permissible if the hose which meets the specifications set out in 8 Ill. Adm. Code Section 215. Table B is used. When the applicator tank is trailed and the metering device is remotely mounted, such as on the tractor tool bar, an automatic break a way, self closing coupling shall be used.~~
- 5) ~~Valves and accessories shall be protected by means of well braced, rigid guards, and secured to the container on both sides of the fittings. The guards shall be designed to withstand a force in any direction of two times the weight of the loaded container.~~
- 6) ~~Applicators shall be filled at least 100 yards from any off approved site occupied building.~~
- e) ~~Safety equipment: Safety features shall be provided in accordance with the Illinois Vehicle Code (Ill. Rev. Stat. 1979, Ch. 95½).~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.115 [Systems Mounted on Equipment for the Application of Anhydrous Ammonia Refrigerated Storage](#)

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- a) This Section applies to systems mounted on farm equipment and used for the field application of ammonia. Section 215.25 applies to this Section unless otherwise noted.
- b) The shell or head thickness of any container shall not be less than 3/16 of an inch.
- c) All containers shall be securely mounted. Applicators must be secured with hold-down devices the same way as systems mounted on farm wagons transporting anhydrous ammonia.
- d) Fixed maximum liquid level gauges shall be used that are designed to indicate when the container has been filled to 85% of its water capacity. The dip tube of this gauge shall be installed in such a manner that it cannot be readily removed.
- e) The filling connection of each container shall comply with the requirements of Section 215.40(k).
- f) An excess-flow valve is not required in the vapor connection, provided the controlling orifice is not in excess of 5/16 inch in diameter and the valve is a hand-operated (attached hand wheel or equivalent) shutoff valve. To assist in filling applicator tanks, it is permissible to bleed vapors to the open air, provided the preceding requirements are met.
- g) Applicators shall be filled at least 100 yards from any occupied building not on an approved site.
- h) Metering devices may be connected directly to the tank withdrawal valve. A union-type connection is permissible between the tank valve and the metering device. Remote mounting of metering devices is permissible using hoses that meet specifications.
- i) When the applicator or nurse tank is trailed and the metering device is remotely mounted, such as on the tractor tool bar, an automatic break-away, self-closing coupling device shall be used. The coupling device shall be made from or coated with a corrosion resistant material. The coupling device shall be mounted in a manner that will permit the device to swivel freely. A coupling device shall be maintained. An angle valve shall not be used as a hose end valve connecting to the coupling device.
- j) No excess-flow valve is required in the liquid withdrawal line provided the controlling orifice between the contents of the container and the outlet of the

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

shutoff valve (see Section 215.40(c)) does not exceed 5/16 in diameter.

- k) Any control valve installed between the regulator and the break-away coupling device shall indicate whether the valve is open or closed.
- l) Where a ball valve is used to control flow to the metering device, the ball shall be drilled with an opening smaller than No. 54 (0.055 inches) drill size on the downstream side to prevent trapping ammonia in the ball when in the closed position.
- m) Each person operating, repairing appurtenances, or inspecting an applicator tank shall comply with the following requirements:
 - 1) Any person required to handle, transfer, transport, or otherwise work with ammonia shall be trained to understand the properties of ammonia, to become competent in safe operating practices, and to take appropriate actions in the event of a leak or an emergency; and
 - 2) Any person making, breaking, or testing any ammonia connection, transferring ammonia, or performing maintenance or repair on an ammonia system under pressure shall wear protective gloves impervious to ammonia and chemical splash goggles. A full face shield may be worn over the goggles; however, a face shield shall not be worn as a substitute for a primary eye protection device (goggles).
- n) Each applicator tank shall be equipped with the following safety equipment and features: for first aid purposes, at least 5 gallons of clean water in a container designed to provide ready access to the water for flushing any area of the body contacted by ammonia and a legible decal depicting step-by-step ammonia transfer instructions.
- o) Instructions for connecting and disconnecting the coupling device shall be displayed in a manner as to be readily visible near the break-away coupling device.
- a) **Design of tanks:**
 - 1) ~~Tanks may be designed for any storage pressure desired as determined by economical design of the refrigerated system.~~
 - 2) ~~Tanks with a design pressure exceeding 15 psig shall be constructed in~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~accordance with 8 Ill. Adm. Code Section 215.25 and in addition the materials shall comply with Section 215.25.~~

- 3) ~~Tanks with a design pressure of 15 psig and less shall be constructed in accordance with the general requirements of American Petroleum Institute Standard 620 or API Standard 12-C with the following modifications:~~
 - A) ~~The liquid specific gravity used for design shall be at least as high as the maximum specific gravity at minimum storage temperature of the ammonia being stored.~~
 - B) ~~The joint efficiency shall not exceed 0.85 unless inspection requirements exceed those of API Standard 12-C. A joint efficiency of 1.00 may be used provided all shell weld junctions are radiographed in addition to the spot radiographic requirements of API Standard 12-C. Full penetration double butt weld shall be used for girth joints.~~
 - C) ~~The design of shells other than vertical cylindrical tanks for all pressure up to 15 psig inclusive shall use design stresses no higher than the stress values given for pressures from 0.5 to 5 psig inclusive in the first edition of API Standard 620.~~
- 4) ~~Refrigerated storage tanks shall be hydrostatically tested to the highest level possible without the shell membrane stress during the test exceeding 30% of the specified minimum yield strength of the shell material. When this limitation precludes completely filling the tank, the remaining welded joints shall be tested using penetrant test methods specified in API Standard 12-C.~~
- 5) ~~Ferritic steels for tank shells and bottoms shall be selected for the design temperature. This application may be based on impact test requirements or equivalent criteria (see API's Table B).~~
- 6) ~~When austenitic steels or non-ferrous materials are used the ASME Code shall be used as a guide for temperature requirements.~~
- 7) ~~Materials for nozzles, attached flanges, structural members which are in tension, and other such critical elements shall be selected for the design temperature. This selection may be based on impact test requirements or equivalent criteria (see API's Table B).~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- b) ~~Installation of storage tank:~~
- 1) ~~Tanks shall be supported on a non-combustible foundation designed to accommodate the type of tank being used.~~
 - 2) ~~Secure anchorage or adequate pier height shall be provided against tank flotation wherever high flood water might occur.~~
- c) ~~Tank valves and accessories, fill pipes and discharge pipes:~~
- 1) ~~Shutoff valves shall be:~~
 - A) ~~provided for all connections, except those with a No. 54 drill size restriction, plugs, safety valves, thermometer wells, and~~
 - B) ~~located as close to the tank as practicable.~~
 - 2) ~~When operating conditions make it advisable, a check valve shall be installed on the fill connection and a remotely operated shutoff valve on other connections located below the maximum liquid level.~~
- d) ~~Safety devices:~~
- 1) ~~Safety relief valves shall be set to start to discharge at a pressure not in excess of the design pressure of the tank and shall have a total relieving capacity sufficient to prevent a maximum pressure in a container of more than 120% of the design pressure.~~
 - 2) ~~The size of relief valves shall be determined by the largest volume requirement of the following:~~
 - A) ~~Possible refrigeration system upset, such as:~~
 - i) ~~Cooling water failure,~~
 - ii) ~~Power failure,~~
 - iii) ~~Instrument air or instrument failure,~~
 - iv) ~~Mechanical failure of any equipment, or~~
 - v) ~~Excessive pumping rates.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- ~~B) the American National Standards Institute's Fire Safety Provisions (Section 4.5.2.2):~~
- 3) All safety devices shall comply with the following:
 - ~~A) The discharge from safety relief valve shall be vented away from the tank at any desired angle above the horizon using a vent stack designed for weather protection. The size of discharge lines from safety relief valves shall not be smaller than the nominal size of the relief valve outlet connections. Provisions shall be made for draining condensation which may accumulate.~~
 - ~~B) Discharge lines from two or more safety relief devices located on the same unit may be run into a common discharge header, provided the cross-sectional area of such header is at least equal to the sum of the cross-sectional area of the individual discharge lines and that the settings of the safety relief valves are the same.~~
- e) ~~Protection of tank accessories and grounding: Refrigerated storage tanks shall comply with the provisions of 8 Ill. Adm. Code Section 215.100(i).~~
- f) ~~Reinstallation of tanks: Tanks of such size as to require field fabrication shall, when moved and reinstalled, be reconstructed and reinspected in complete accordance with The Code under which they were constructed. The tanks shall be subjected to a pressure retest, and if re-rating is necessary, it shall be done in accordance with the applicable code procedures.~~
- g) ~~Damage from vehicles: Precaution shall be taken to avoid any damage by trucks, tractors or other vehicles.~~
- h) ~~Refrigerated load and equipment:~~
 - 1) ~~The total refrigeration load shall be computed as the sum of the following:~~
 - ~~A) Load imposed by heat flow into the tank caused by the temperature differential between design ambient temperature and storage temperature.~~
 - ~~B) Load imposed by heat flow into the tank caused by maximum sun radiation.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- ~~C) Maximum load imposed by filling the tank with anhydrous ammonia warmer than the design storage temperature.~~
- 2) ~~More than one storage tank may be handled by the same refrigeration system.~~
- 3) ~~Compressors:
 - A) A minimum of two compressors shall be provided either of which is of sufficient size to handle the loads listed in 8 Ill. Adm. Code Section 215.115(i)(A) and (B). Where more than two compressors are provided, minimum standby equipment equal to the largest normally operating equipment shall be installed.
 - B) Compressors shall be sized to operate with a suction pressure at least 10% below the minimum setting of the safety valve(s) on the storage tank and shall withstand a suction pressure at least equal to 120% of the design pressure of the tank. Discharge pressure will be governed by condensing conditions.~~
- 4) ~~Compressor drives:
 - A) Each compressor shall have its individual driving unit.
 - B) Any standard drive consistent with good design may be used.
 - C) An emergency source of power of sufficient capacity to handle the loads in 8 Ill. Adm. Code Section 215.115(i)(A) and (B) shall be provided, unless facilities are provided to safely dispose of vented vapors while the refrigeration system is not operating.~~
- 5) ~~Automatic control equipment:
 - A) The refrigeration system shall be arranged with suitable controls to govern the compressor operation in accordance with the load as evidenced by pressure in the tank or tanks.
 - B) Any emergency alarm system shall be installed to function in the event the pressure in the tank or tanks rises to the maximum allowable operating pressure.~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- ~~C) An emergency alarm and shutoff shall be located in the condenser system to respond to excess discharge pressure caused by failure of the cooling medium.~~
- ~~D) All automatic controls shall be installed in a manner to preclude operation of alternate compressors unless the controls will function with the alternate compressors.~~
- 6) Separators:
 - ~~A) An entrainment separator of a size capable of holding any liquid material entering the line during the transfer operation shall be installed in the compressor suction line. The separator shall be equipped with a drain and gauging device.~~
 - ~~B) An oil separator of a size capable of holding any liquid material entering the line during the transfer operation shall be installed in the compressor discharge line. It shall be designed for at least 250 psig and shall be equipped with a gauging device and drain valve.~~
- 7) ~~Condensers: The condenser system may be cooled by air or water or both. The condenser shall be designed for at least 250 psig. Provision shall be made for purging non condensibles either manually or automatically.~~
- 8) ~~Receiver and liquid drain: A receiver shall be provided which is equipped with an automatic float valve to discharge the liquid anhydrous ammonia to storage or with a high pressure liquid drain trap of a capacity capable of holding any liquid material entering the line. The receiver shall be designed for at least 250 psig operating pressure and be equipped with the necessary connections, safety valves, and gauging device.~~
- 9) Insulation:
 - ~~A) Where insulation is required, insulation thickness shall be determined by good design.~~
 - ~~B) Insulation of refrigerated tanks and pipelines shall be waterproofed. The insulating material shall be fire retardant. The weatherproofing shall be fire resistant.~~
- 10) ~~Piping: All piping shall be well supported and provision shall be made for~~

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

~~expansion and contraction. All refrigeration system piping shall conform to Section 5 of the American Standards Association's "Code for Pressure Piping" (B-31.1) as it applies to anhydrous ammonia.~~

- 11) ~~Safety equipment: All refrigerated storage plants shall have on hand the minimum safety equipment required under 8 Ill. Adm. Code Section 215.60(b).~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

Section 215.120 Administrative Hearings

Decisions of the Department in implementing this Part are subject to the Illinois Administrative Procedure Act [5 ILCS 100] and the Department's rules pertaining to administrative hearings (8 Ill. Adm. Code 1).

~~Decisions of the Department in implementing these rules are subject to the Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) and the Department's rules pertaining to administrative hearings as promulgated thereunder (8 Ill. Adm. Code Part 1).~~

(Source: Amended at 27 Ill. Reg. 9922, effective July 1, 2003)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Travel Regulation Council
- 2) Code Citation: 80 Ill. Adm. Code 3000
- 3) Section Numbers: Adopted Action:
3000.Appendix A Amend
- 4) Statutory Authority: Implementing and authorized by Sections 12-1, 12-2 and 12-3 of the State Finance Act [30 ILCS 105/12-1, 12-2 and 12-3].
- 5) Effective Date of Amendments: July 1, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal Published in Illinois Register:
February 7, 2003
27 Ill. Reg. 1798
- 10) Has JCAR issued a Statement of Objections to the Amendments? No
- 11) Differences between proposal and final version. Several minor editing changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The amendment increases the maximum allowable lodging reimbursement rates in 96 downstate counties. The maximum rate for 11 counties (i.e., downstate counties with greater populations and/or travel volume) will increase from \$60.00 to \$70.00. This rate has not been increased since July 1, 1995. The rate for the remaining downstate counties will increase from \$50.00 to \$60.00. This rate

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

has not been increased since July 1, 1990. Individual travel control boards may establish more restrictive rates than those set by the Travel Regulation Council.

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

Ben Bagby
Illinois Department of Central Management Services
720 Stratton Office Building
Springfield IL 62706
(217)782-9669

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE I: GENERAL TRAVEL CONTROL
CHAPTER IV: TRAVEL REGULATION COUNCILPART 3000
THE TRAVEL REGULATION COUNCIL

SUBPART A: GENERAL

Section	
3000.100	Authority
3000.110	Philosophy
3000.120	Policy
3000.130	Scope and Interpretation
3000.140	Definitions

SUBPART B: TRAVEL CONTROL SYSTEM

Section	
3000.200	Travel Control System
3000.210	Designation of Headquarters
3000.220	Expenses at Headquarters or Residence
3000.230	Preparation and Submission of Vouchers or Travel Expenses

SUBPART C: TRANSPORTATION

Section	
3000.300	Modes of Transportation
3000.310	Routing

SUBPART D: LODGING

Section	
3000.400	Lodging Allowances
3000.410	Least Costly Lodging
3000.420	Conference Lodging
3000.430	Employee Owned or Controlled Housing

SUBPART E: PER DIEM/MEALS

Section

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

3000.500 Per Diem Allowance
3000.510 Meal Allowance

SUBPART F: MISCELLANEOUS RULES

Section

3000.600 Reimbursable and Non-Reimbursable Expenses
3000.610 Expenses Related to Transportation
3000.620 Receipts Required
3000.630 Meals for Other Persons

SUBPART G: EXCEPTIONS

Section

3000.700 Exceptions to the Rules
3000.710 Board/Agency Rules
3000.720 Non/Required Travel

3000.APPENDIX A Reimbursement Schedule

AUTHORITY: Implementing and authorized by Sections 12-1, 12-2 and 12-3 of the State Finance Act [30 ILCS 105/12-1, 12-2 and 12-3].

SOURCE: Emergency rules adopted at 10 Ill. Reg. 12697, effective July 2, 1986, for a maximum of 150 days; adopted at 10 Ill. Reg. 18188, effective January 1, 1987; peremptory amendment at 11 Ill. Reg. 14854, effective August 25, 1987; amended at 12 Ill. Reg. 11626, effective July 1, 1988; amended at 14 Ill. Reg. 10014, effective July 1, 1990; amended at 19 Ill. Reg. 7852, effective July 1, 1995; amended at 20 Ill. Reg. 7372, effective May 13, 1996; amended at 20 Ill. Reg. 9025, effective July 1, 1996; amended at 21 Ill. Reg. 8899, effective July 1, 1997; amended at 22 Ill. Reg. 11713, effective July 1, 1998; emergency amendment at 23 Ill. Reg. 11332, effective August 27, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. 245, effective December 27, 1999; emergency amendment at 24 Ill. Reg. 861, effective January 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 1908, effective January 2, 2000; amended at 24 Ill. Reg. 7737, effective May 9, 2000; amended at 26 Ill. Reg. 14985, effective October 8, 2002; emergency amendment at 27 Ill. Reg. 557, effective January 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 8551, effective May 12, 2003; amended at 27 Ill. Reg. 9990, effective July 1, 2003.

Section 3000.Appendix A Reimbursement Schedule

The following rates are effective for the Travel Control Boards. The rates will be reviewed

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

annually to determine necessary adjustments.

Type of ReimbursementRateMileage

Auto	See Section 3000.300(f)(2)
Plane	See Section 3000.300(g)(2)

Per Diem/Meals

Within the State of Illinois

Breakfast	\$ 5.50
Lunch	\$ 5.50
Dinner	\$ 17.00

Per Diem – Quarter	\$ 7.00
Per Diem – Day	\$ 28.00

Outside the State of Illinois

Breakfast	\$ 6.50
Lunch	\$ 6.50
Dinner	\$ 19.00

Per Diem – Quarter	\$ 8.00
Per Diem – Day	\$ 32.00

Lodging

Chicago Metro

County of Cook	See Section 3000.400(b)
Counties of DuPage, Kane, Lake, McHenry, and Will	\$ 80.00

Downstate Illinois

Counties of Champaign, Kankakee, LaSalle, McLean, Macon, Madison, Peoria, Rock Island, St. Clair, Sangamon, Tazewell, and Winnebago	<u>\$70.00</u> \$60.00
----------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------

All other Downstate counties	<u>\$60.00</u> \$50.00
------------------------------	-----------------------------------

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Out-of-State

District of Columbia (includes the cities of Alexandria, Falls Church, and Fairfax, and the counties of Arlington, Loudoun, and Fairfax in Virginia; and the counties of Montgomery and Prince George's in Maryland)	See Section 3000.400(b)
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------

All other Out-of-State	\$110.00
------------------------	----------

Out-of-Country	Actual Reasonable
----------------	-------------------

(Source: Amended at 27 Ill. Reg. 9990, effective July 1, 2003)

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Transitional Bilingual Education
- 2) Code Citation: 23 Ill. Adm. Code 228
- 3) Section Number: Adopted Action:
228.40 Amendment
- 4) Statutory Authority: 105 ILCS 5/Art. 14C and 2-3.39(1)
- 5) Effective Date of Rules: June 20, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these rules contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 7, 2003; 27 Ill. Reg. 1851
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) 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 changes were requested by JCAR, and no agreement letter was issued.
- 13) Will these rules replace emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules:

These are technical amendments needed to implement P.A. 92-604, which took effect in July of 2002 and changed the requirements for the notice districts must provide to parents whose children are enrolled in bilingual education programs. P.A. 92-604 also strengthened parents' right to have their children removed from bilingual education programs on demand. The revisions to this rule reflect that new statutory provision.
- 16) Information and questions regarding these adopted rules shall be directed to:

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

Name: Karen Mulattieri
Division of English Language Learning
Address: Illinois State Board of Education
100 West Randolph, Suite 14-300
Chicago, Illinois 60601
Telephone: (312) 814-3850

The full text of the adopted amendments begins on the next page:

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER f: SPECIAL COURSES OF STUDY

PART 228

TRANSITIONAL BILINGUAL EDUCATION

Section

228.10	Definitions
228.15	Identification of Eligible Students
228.20	Public School Bilingual Census
228.25	Program Options, Placement, and Assessment
228.30	Establishment of Programs
228.40	General Program Requirements
228.50	Program Plan Approval and Reimbursement Procedures
228.60	Enforcement

AUTHORITY: Implementing Article 14C and authorized by Section 2-3.39(1) of the School Code [105 ILCS 5/Art. 14C and 2-3.39(1)].

SOURCE: Adopted May 28, 1976; codified at 8 Ill. Reg. 5176; Part repealed, new Part adopted at 11 Ill. Reg. 5969, effective March 23, 1987; amended at 17 Ill. Reg. 104, effective December 18, 1992; amended at 26 Ill. Reg. 898, effective January 15, 2002; amended at 27 Ill. Reg. 9996, effective June 20, 2003.

NOTE: Capitalization denotes statutory language.

Section 228.40 General Program Requirements

- a) Notice of Enrollment and Withdrawal
 - 1) NOTICE OF ENROLLMENT - NO LATER THAN ~~10~~ 30 DAYS AFTER THE BEGINNING OF THE SCHOOL YEAR OR 14 DAYS AFTER THE ENROLLMENT OF ANY STUDENT IN A TRANSITIONAL BILINGUAL EDUCATION PROGRAM IN THE MIDDLE OF A SCHOOL YEAR, THE SCHOOL DISTRICT SHALL NOTIFY BY MAIL THE PARENTS OR LEGAL GUARDIANS OF THE STUDENT THAT THEIR CHILD HAS BEEN ENROLLED IN A TRANSITIONAL BILINGUAL EDUCATION PROGRAM OR A TRANSITIONAL PROGRAM OF INSTRUCTION. THE NOTICE SHALL BE IN

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

ENGLISH AND IN THE HOME LANGUAGE OF THE STUDENT
~~AND. IT SHALL:~~ CONVEY, IN SIMPLE, NONTECHNICAL
LANGUAGE, all of the information called for in Section 14C-4 of the
School Code [105 ILCS 5/14C-4].

- ~~A) CONTAIN A SIMPLE, NONTECHNICAL DESCRIPTION OF THE PURPOSE, INSTRUCTIONAL METHOD, AND CONTENT OF THE PROGRAM;~~
 - ~~B) INFORM THE PARENTS OR LEGAL GUARDIANS OF THEIR RIGHT TO VISIT THE CLASSES IN WHICH THEIR CHILD IS ENROLLED;~~
 - ~~C) INFORM THE PARENTS OR LEGAL GUARDIANS OF THEIR RIGHT TO ARRANGE FOR A CONFERENCE TO RECEIVE AN EXPLANATION OF THE NATURE OF THE PROGRAM IN WHICH THEIR CHILD IS ENROLLED; AND~~
 - ~~D) FURTHER INFORM THE PARENTS OR LEGAL GUARDIANS OF THEIR RIGHT TO WITHDRAW THEIR CHILD FROM THE PROGRAM AS DESCRIBED IN subsection (a)(2) of this Section.~~
- 2) WITHDRAWAL BY PARENTS - ANY PARENT OR LEGAL GUARDIAN WHOSE CHILD HAS BEEN ENROLLED IN A PROGRAM SHALL HAVE THE ABSOLUTE RIGHT TO WITHDRAW ~~HIM/HER~~ THE CHILD FROM THE PROGRAM IMMEDIATELY. ~~A PARENT OR LEGAL GUARDIAN CAN WITHDRAW HIS/HER CHILD FROM THE PROGRAM WITHIN 30 DAYS OF RECEIPT OF A NOTICE OF ENROLLMENT OR AT THE CLOSE OF ANY SEMESTER BY SUBMITTING A WRITTEN REQUEST FOR WITHDRAWAL TO SCHOOL DISTRICT AUTHORITIES. WITHDRAWAL SHALL NOT BE PERMITTED UNLESS THE PARENT OR LEGAL GUARDIAN HAS BEEN INFORMED OF THE NATURE OF THE PROGRAM IN A CONFERENCE WITH SCHOOL OFFICIALS. SUCH A CONFERENCE SHALL BE CONDUCTED IN A LANGUAGE WHICH THE PARENT OR LEGAL GUARDIAN UNDERSTANDS~~ NOTICE OF HIS OR HER DESIRE TO WITHDRAW THE CHILD TO THE SCHOOL AUTHORITIES OF THE SCHOOL IN WHICH THE CHILD IS ENROLLED OR TO THE SCHOOL DISTRICT

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

IN WHICH THE CHILD RESIDES. ([Section 14C-4 of the School Code](#))

- b) Program Standards
- 1) Course Credit - Students enrolled in approved programs shall receive full credit for courses taken in such programs, which shall count toward promotion and fulfillment of district graduation requirements. Courses in ESL shall count toward English requirements for graduation. Students who change attendance centers or school districts shall do so without loss of credit for time spent in the program.
 - 2) EXTRACURRICULAR ACTIVITIES - EACH DISTRICT SHALL ENSURE THAT STUDENTS ENROLLED IN PROGRAMS SHALL HAVE THE OPPORTUNITY TO PARTICIPATE FULLY IN THE EXTRACURRICULAR ACTIVITIES OF THE PUBLIC SCHOOLS IN THE DISTRICT.
 - 3) PROGRAM INTEGRATION - IN COURSES OR SUBJECTS IN WHICH LANGUAGE IS NOT ESSENTIAL TO AN UNDERSTANDING OF THE SUBJECT MATTER, INCLUDING, BUT NOT NECESSARILY LIMITED TO, ART, MUSIC, AND PHYSICAL EDUCATION, STUDENTS OF LIMITED ENGLISH PROFICIENCY SHALL PARTICIPATE FULLY WITH THEIR ENGLISH-SPEAKING CLASSMATES.
 - 4) Student-Teacher Ratio - The student-teacher ratio in the ESL and native language components of programs shall not exceed 90% of the average student-teacher ratio in regular classes in that attendance center.
 - 5) GROUPING OF AGE-GRADE LEVELS - STUDENTS ENROLLED IN A PROGRAM OF TRANSITIONAL BILINGUAL EDUCATION SHALL BE PLACED IN CLASSES WITH STUDENTS OF APPROXIMATELY THE SAME AGE OR GRADE LEVEL, except as provided in subsection (b)(6) of this Section.
 - 6) IF STUDENTS OF DIFFERENT AGE GROUPS OR EDUCATIONAL LEVELS ARE COMBINED IN THE SAME CLASS, THE SCHOOL DISTRICT SHALL ENSURE THAT THE INSTRUCTION GIVEN EACH STUDENT IS APPROPRIATE TO HIS/HER AGE OR GRADE LEVEL. Evidence of compliance with this requirement shall be:

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- A) individualized instructional programs; or
 - B) class grouping and instruction by ability level.
- 7) PROGRAM FACILITIES - PROGRAMS SHALL BE LOCATED IN REGULAR PUBLIC SCHOOL FACILITIES RATHER THAN IN SEPARATE FACILITIES. IF SUCH A LOCATION IS NOT FEASIBLE, THE SUBSTITUTE LOCATION shall be comparable to those made available to a majority of the district's students with respect to space and equipment. If housed in a facility other than a public school, the school district shall provide a written explanation in its annual application to the State Board of Education as to why the use of a public school building is not feasible.
- c) STAFF INSERVICE
- 1) Each school district having a program shall annually plan inservice training activities for the certificated and noncertificated personnel involved in the education of students of limited English proficiency. This plan shall be included in the district's annual application and shall be approved by the State Board of Education if it meets the standards set forth in subsections (c)(2) and (c)(3) of this Section.
 - 2) Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of basic bilingual program requirements and which shall include, but need not be limited to, the following: minimum program standards, district identification and assessment procedure, program design, and basic instructional techniques for teachers of ~~limited English proficient~~ students with limited English proficiency.
 - 3) Ongoing training activities for all bilingual program staff shall take place at least twice yearly. The areas to be addressed shall include but need not be limited to one or more of the following:
 - A) current research in the teaching of bilingual education;
 - B) methods and techniques for teaching content areas, language arts of the students' home languages, and ESL in a bilingual classroom;
 - C) language assessment;

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- D) issues related to the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents; and
- E) issues related to ~~handicapped limited English proficient~~ servicing students with limited English proficiency who also have disabilities.
- d) Joint Programs - A school district may join with one or more school district(s) to provide joint programs or services in accordance with the provisions of ~~Article~~ Section 10-22.31a of ~~The~~ the School Code [105 ILCS 5/10-22.31a]. The designated administrative agent shall adhere to the procedures contained in 23 Ill. Adm. Code 110 (Program Accounting Manual) as they pertain to cooperative agreements.
- e) PRESCHOOL AND SUMMER SCHOOL PROGRAMS - A SCHOOL DISTRICT MAY ESTABLISH PRESCHOOL AND SUMMER SCHOOL PROGRAMS FOR STUDENTS OF LIMITED ENGLISH PROFICIENCY, OR JOIN WITH OTHER SCHOOL DISTRICTS IN ESTABLISHING SUCH PROGRAMS. SUMMER SCHOOL PROGRAMS SHALL NOT REPLACE PROGRAMS REQUIRED DURING THE REGULAR SCHOOL YEAR.
- f) Maintenance of Records and Reporting Procedures
- 1) Report Cards - The school shall send progress reports to parents or legal guardians of students enrolled in programs in at least the same manner and with the same frequency as progress reports are sent to parents or legal guardians of other students enrolled in the school district. Such reports shall indicate the student's progress in the program and in the general program of instruction, and shall indicate when the student has successfully completed requirements for transition from the program into the general program of instruction. Progress reports for all students enrolled in a program under this Part shall be written in English and in the student's home language unless a student's parents or legal guardian agree in writing to waive this requirement. Such waiver shall be kept on file in accordance with subsection (f)(3) of this Section.
 - 2) Annual Student Report - Each district must complete the Transitional Bilingual Education Annual Student Report provided by the State Board of Education, in which information on each student participating in the program is compiled.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- 3) Records - School districts shall maintain records of each student enrolled in programs in the manner prescribed in 23 Ill. Adm. Code 375 (Student Records). These records shall include program entry/exit information, annual English proficiency test scores and other student assessment information (e.g., language, program entry and exit dates, grade level, and attendance), and documentation of conferences and written communication with parents or legal guardians. Parents and legal guardians of students enrolled in programs shall have access to such records, as specified in 23 Ill. Adm. Code 375 (Student Records).

(Source: Amended at 27 Ill. Reg. 9996, effective June 20, 2003)

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Alternative Learning Opportunities Program
- 2) Code Citation: 23 Ill. Adm. Code 240
- 3) Section Number: Adopted Action:
240.90 Amendment
- 4) Statutory Authority: 105 ILCS 5/Article 13B
- 5) Effective Date of Rules: June 23, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 27 Ill. Reg. 4321; March 7, 2003
- 10) Has JCAR issued a Statement of Objections to these rule(s)? No
- 11) Difference(s) between proposal and final version: No changes have been made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? The Joint Committee on Administrative Rules did not request any changes during the second notice period.
- 13) Will these rules replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: Section 13B-50.15 of the School Code [105 ILCS 5/13B-50.15] provides that regional offices of education that operate approved Alternative Learning Opportunities Programs (ALOPs) on behalf of school districts that establish such programs "are entitled to receive general State aid at the foundation level of support." The law, however, does not explicitly state whether these regional offices can submit a claim directly to the State Board of Education to receive General State Aid (GSA) or receive it from the school district or districts that contracted with the regional office to operate the ALOP.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

The amendments provide that regional offices of education may directly submit GSA claims to the State Board, provided that there is a cooperative agreement between the regional office and school district(s) that are establishing the program. This provision to allow for submission of the claim by the regional office will not apply to other entities, such as intermediate service centers, community colleges, health and human services agencies, and other public and private, not-for-profit agencies, that may be under contract with a school district to operate an ALOP.

Since students may enter an ALOP in the middle of a school year, the amendments further provide that GSA can be claimed only for the time period in which those students are enrolled in the program. A similar provision is proposed for school districts.

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

Dennis Williams, Acting Division Administrator
New Learning Opportunities Division
100 North First Street, W-260
Springfield, Illinois 62777-0001
Telephone: (217) 782-0083

The full text of the adopted rules begins on the next page:

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 240

ALTERNATIVE LEARNING OPPORTUNITIES PROGRAM

SUBPART A: PROGRAM APPROVAL

Section

240.10	Purpose
240.20	Requirements for Student Participation
240.25	Enrollment of Students with Individualized Education Programs
240.30	Program Requirements
240.40	Student Success Plan
240.50	Requirements for Returning the Student to the Regular School Program
240.60	Supplemental Services and Instructional Time
240.70	Application for Program Approval
240.75	Program Approval Criteria
240.80	Application for Program Continuation
240.90	Program Funding
240.100	Suspension and Revocation of Program Approval
240.110	Terms and Conditions of Approval

SUBPART B: ALTERNATIVE LEARNING OPPORTUNITIES PROGRAM GRANTS

240.200	Purpose
240.210	Eligible Applicants
240.220	Planning Grants
240.230	Implementation Grants
240.240	Supplemental Grants
240.250	Grant Awards
240.260	Terms of the Grant

AUTHORITY: Implementing and authorized by Article 13B of the School Code [105 ILCS 5/Art. 13B].

SOURCE: Adopted at 26 Ill. Reg. 11888, effective July 22, 2002; amended at 27 Ill. Reg. 10004, effective June 23, 2003.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

NOTE: Capitalization denotes statutory language.

SUBPART A: PROGRAM APPROVAL

Section 240.90 Program Funding

~~A~~ A school district or regional office of education that operates an Alternative Learning Opportunities Program approved by the State Board of Education shall be eligible to receive General State Aid, subject to subsections (a) through (c) of this Section, provided that it meets the requirements for claiming State aid specified in Section 18-8.05 of the School Code and meets the criteria specified in Sections 13B-50.5 and 13B-50.10 of the School Code [105 ILCS 5/13B-50.5 and 13B-50.10].

- a) If two or more school districts operate a program under a cooperative agreement, then the attendance shall be reported to the resident district of each student enrolled in the program and used by that district in calculating its average daily attendance for the purpose of claiming General State Aid.
- b) In instances where a school district contracts with an entity other than a regional office of education to operate a program, the attendance shall be reported to the district of each student enrolled in the program and used by the district in calculating its average daily attendance for the purpose of the district's claiming General State Aid.
- c) ~~b)~~ A ~~When~~ a regional office of education ~~that~~ operates an Alternative Learning Opportunities Program under a cooperative agreement with one or more school districts, it is entitled to receive submit a claim directly to the State Board of Education for General State Aid at the foundation level of support (see 105 ILCS 5/13B-50.15).
 - 1) The regional office of education's claim shall include only the time period during which students from the school district or districts subject to the provisions of the cooperative agreement are enrolled in the Alternative Learning Opportunities Program.
 - 2) The school district or districts subject to the provisions of the cooperative agreement shall not claim students for the time period during which those students were enrolled in the Alternative Learning Opportunities Program operated by the regional office of education.
 - 3) In instances where the school district's per capita tuition charge exceeds

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

the foundation level of support provided to the regional office of education, then it shall be the responsibility of that school district to provide for its students enrolled in the program the difference between the foundation level received by the regional office and the district's per capita tuition charge.

(Source: Amended at 27 Ill. Reg 10004, effective June 23, 2003).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Firearms
- 2) Code Citation: 17 Ill. Adm. Code 650
- 3)

<u>Section Numbers</u>	<u>Adopted Action</u>
650.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].
- 5) Effective Date of Amendments: June 23, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 14, 2003, 27 Ill. Reg. 2546
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

Section 650.60(h) – the two listings for "Franklin Creek" were combined into one listing:

Franklin Creek State Natural Area (first or second season only) (antlerless only)
(2) (5)

Section 650.60(h) – the two listings for "Kishwaukee" were combined into one listing:

Kishwaukee River State Fish and Wildlife Area (first or second season only)

Section 650.60(h) – the following site was added:

Snakeden Hollow Fish and Wildlife Area – Ives Unit (1) (2) (5)

Additional changes were not substantial and were made to correct grammar, spelling and punctual errors.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 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 an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to add deer hunting opportunities at sites and to add site specific regulations.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jonathan Furr, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 650

WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

Section

650.10	Statewide Season and Permit Quotas
650.20	Statewide Deer Permit Requirements
650.21	Deer Permit Requirements – Landowner/Tenant Permits
650.22	Deer Permit Requirements – Special Hunts
650.23	Deer Permit Requirements – Group Hunt
650.30	Statewide Firearms Requirements
650.40	Statewide Deer Hunting Rules
650.50	Rejection of Application/Revocation of Permits
650.60	Regulations at Various Department-Owned or -Managed Sites
650.65	Youth Hunt (Repealed)
650.67	Special Hunts for Disabled Hunters
650.70	Special Extended Season Firearm Deer Hunt (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified at 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendment at 9 Ill. Reg. 20922, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 25, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468, effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill. Reg. 13431, effective August 23, 1994; amended at 19 Ill. Reg. 6477, effective April 28, 1995; amended at 20 Ill. Reg. 7515, effective May 20, 1996; amended at 21 Ill. Reg. 5572, effective

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

April 19, 1997; amended at 21 Ill. Reg. 9116, effective June 26, 1997; amended at 22 Ill. Reg. 8007, effective April 28, 1998; amended at 23 Ill. Reg. 5564, effective April 26, 1999; amended at 24 Ill. Reg. 8971, effective June 19, 2000; amended at 24 Ill. Reg. 10260, effective July 1, 2000; amended at 25 Ill. Reg. 7231, effective May 22, 2001; amended at 26 Ill. Reg. 9319, effective June 17, 2002; amended at 27 Ill. Reg. 10009, effective June 23, 2003.

Section 650.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.
- c) Only one tree stand is allowed per deer permit holder. These tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Statewide regulations shall apply at the following sites:
 - Cache River State Natural Area (1) (2)
 - Campbell Pond (1) (2)
 - Carlyle Lake Lands and Waters (Corps of Engineers managed lands)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Carlyle Lake Wildlife Management Area (except subimpoundment area)

Chauncey Marsh (1) (2)

Crawford County Conservation Area (1) (2)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

[Deer Pond State Natural Area \(1\)\(2\)](#)

Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (muzzleloading rifles only) (1) (2)

Giant City State Park (1) (2)

Hamilton County Conservation Area (1) (2)

Horseshoe Lake Conservation Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

I-24 Wildlife Management Area (1) (2)

Kaskaskia River Fish and Wildlife Area (1) (2, except south of Highway 154 and north of Highway 13) (Doza Creek Waterfowl Management Area closed during duck season)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Lake Le Aqua Na State Park (standby hunting allowed during the first season if all blinds not filled by youth hunters)

Mermet Lake Conservation Area (1) (2)

Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 [\(1\)](#)

Mississippi River Pool 16 (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Newton Lake Fish and Wildlife Area (2)

Oakford Conservation Area (1)

Pere Marquette State Park (hunting in designated areas only) [\(1\)](#) (2)

Rend Lake Project Lands and Waters (1)

Saline County Fish and Wildlife Area (1) (2)

Sanganois State Wildlife Area (1)

Sielbeck Forest Natural Area (1) (2)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (3)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park (2)

Wildcat Hollow State Forest (1)

- h) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (5). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, unless exempt. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest.

Apple River Canyon State Park – Thompson and Salem Units (first or second

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

season only) (2)

Argyle Lake State Park [\(2\)](#) (5)

Beall Woods State Park (antlerless deer only) (1) (2) (5)

Big River State Forest [\(2\)](#) (5)

Castle Rock State Park (first or second season only) (antlerless only) (1) (2) (5)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (first season only) (2) (5)

Falling Down Prairie State Natural Area (first or second season only) (2)

Fort Massac State Park (second season only) (antlerless deer only) (2)

Fox Ridge State Park (1)

[Franklin Creek State Natural Area \(first or second season only\) \(antlerless only\) \(2\) \(5\)](#)

Goose Lake Prairie State Natural Area (tree stands not allowed; first or second season only; antlerless deer only; "Texas" style tripod stands allowed) (2) (5)

Green River State Wildlife Area (first or second season only) (1) (2) (5)

Hanover Bluff [State Natural Area \(first or second season only\) \(2\)](#) ~~Kopper Tract~~
(4)

Harry "Babe" Woodyard State Natural Area (2) (3)

Heidecke State Fish and Wildlife Area (first or second season only) (2) (4) (5)

Hidden Springs State Forest [\(1\)](#)

Horseshoe Lake Conservation Area – Alexander County (Refuge, last two Saturdays in October; antlerless only) (5)

Hurricane Creek Habitat Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Iroquois County Conservation Area ~~Hooper Branch~~ (first season only) (2) (5)

~~Iroquois County Conservation Area (Hooper Branch only) (second season only)
(2) (5)~~

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (2) (3)

Jim Edgar Panther Creek State Fish and Wildlife Area (West Open Unit) (1) (2) (3)

Kickapoo State Recreation Area (2)

[Kishwaukee River State Fish and Wildlife Area \(first or second season only\)](#)

Lowden-Miller State Forest (first season only) (1) (2) (3) (5)

Lowden-Miller State Forest (second season only) (1) (2) (3) (5)

Mackinaw River Fish and Wildlife Area (1) (2) (5)

Marseilles Fish and Wildlife Area (first season only) (all tree stands must be removed no later than the last day of the archery deer season) (1) (2) (5)

Marseilles Fish and Wildlife Area (second season only) (all tree stands must be removed no later than the last day of the archery deer season) (1) (2) (5)

Marshall Fish and Wildlife Area (2) (5)

Middle Fork Fish and Wildlife Area (2)

Mississippi Palisades State Park (first season only)

Momence Wetlands

Moraine Hills State Park (first or second season permits only; antlerless deer only, hunting from elevated stands only, six feet minimum above ground; firearms must be fully enclosed in a case, except while the hunter is in an elevated stand or as otherwise authorized by an employee of the Department) (2)

Morrison-Rockwood State Park (first season only) (5)

Pyramid State Park (1) (2) (3)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Pyramid State Park – East Conant Unit (1) (3)

Pyramid State Park – Galum Unit (1) (3)

Ray Norbut Fish and Wildlife Area (2) (5)

Sahara Woods (1) (2)

Sand Ridge State Forest (1) (2)

Sangamon County Conservation Area (1)

Siloam Springs State Park (2) (3)

[Snakeden Hollow Fish and Wildlife Area – Ives Unit \(1\) \(2\) \(5\)](#)

Starved Rock/Matthiessen Dells State Park (Monday, Tuesday, Wednesday and Thursday before the first statewide firearm deer season only) (antlerless deer only) (2) (5)

Starved Rock/Matthiessen Dells State Park (Monday, Tuesday and Wednesday before the second statewide firearm deer season only) (antlerless deer only) (2) (5)

Tapley Woods State Natural Area (first or second season only) (2)

[Union County Conservation Area \(refuge, last Saturday in October\)](#)

Wards Grove Nature Preserve (first or second season only; antlerless only) (2) (5)

Witkowsky State Wildlife Area (first or second season only) (2)

Wolf Creek State Park (participants in the Corps of Engineers special disabled hunt program are exempt from site's antler restrictions) (3)

- i) [Violations of site specific regulations are petty offenses \(see 520 ILCS 5/2.20\)](#)~~Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).~~

(Source: Amended at 27 Ill. Reg. 10009, effective June 23, 2003).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Muzzleloading Rifles
- 2) Code Citation: 17 Ill. Adm. Code 660
- 3) Section Numbers: Adopted Action:
660.60 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].
- 5) Effective Date of Amendments: June 23, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 14, 2003, 27 Ill. Reg. 2556
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
In Section 660.60(i) the following site was underlined to indicate it was being added:
Sangamon County Conservation Area (closed during second firearm deer season) (1)
- 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 an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to add deer hunting at Deer Pond Natural Area, add site-specific regulations at various sites and add stand-by hunting at Wards Grove Nature Preserve.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

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

Jonathan Furr, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 660
WHITE-TAILED DEER HUNTING BY USE
OF MUZZLELOADING RIFLES

Section	
660.10	Statewide Season and Permit Quotas
660.20	Statewide Deer Permit Requirements
660.21	Deer Permit Requirements – Free Landowner/Tenant Permits
660.22	Deer Permit Requirements – Special Hunts
660.25	Deer Permit Requirements – Group Hunt
660.30	Statewide Muzzleloading Rifle Requirements
660.40	Statewide Deer Hunting Rules
660.45	Reporting Harvest
660.50	Rejection of Application/Revocation of Permits
660.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 18, 1991; amended at 15 Ill. Reg. 11627, effective August 2, 1991; amended at 16 Ill. Reg. 11150, effective June 30, 1992; amended at 17 Ill. Reg. 10865, effective July 1, 1993; amended at 18 Ill. Reg. 5878, effective April 5, 1994; amended at 18 Ill. Reg. 13435, effective August 23, 1994; amended at 19 Ill. Reg. 6500, effective April 28, 1995; amended at 20 Ill. Reg. 6734, effective May 6, 1996; amended at 21 Ill. Reg. 5583, effective April 19, 1997; amended at 21 Ill. Reg. 9122, effective June 26, 1997; amended at 22 Ill. Reg. 8026, effective April 28, 1998; amended at 23 Ill. Reg. 5579, effective April 26, 1999; amended at 24 Ill. Reg. 10251, effective July 1, 2000; amended at 25 Ill. Reg. 6367, effective April 27, 2001; amended at 26 Ill. Reg. 9340, effective June 17, 2002; amended at 27 Ill. Reg. 10018, effective June 23, 2003.

Section 660.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510(c)(3) and must be portable. Tree

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

stands must be removed at the end of each day with the exception that they may be left unattended from September 15-January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended overnight must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.

- c) It is unlawful to drive deer or participate in a deer drive on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within firearm range of one or more participating hunters.
- d) Check-in, check-out and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- e) Handicapped preferred hunting opportunities are provided at those sites listed in this Section that are followed by a (3).
- f) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- h) Statewide regulations shall apply at the following sites:

Cache River State Natural Area (1) (2)

Campbell Pond Fish and Wildlife Area (1) (2)

Carlyle Lake Wildlife Management Area except subimpoundment areas

Carlyle Lake Lands and Waters – Corps of Engineers managed lands

Chauncey Marsh (1) (2)

Crawford County Fish and Wildlife Area (1) (2)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

[Deer Pond State Natural Area \(1\) \(2\)](#)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- Dog Island Wildlife Management Area (1) (2)
- Ferne Clyffe State Park (1) (2)
- Fort de Chartres Historic Site (1) (2)
- Giant City State Park (1) (2)
- Hamilton County Fish and Wildlife Area (1) (2)
- Horseshoe Lake Conservation Area – Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)
- I-24 Wildlife Management Area (1) (2)
- Jim Edgar Panther Creek State Fish and Wildlife Area West Open Unit (closed during second firearm season) (1) (2) (4)
- Kaskaskia River Fish and Wildlife Area (1) (2, except south of Highway 154 and north of Highway 13) (Doza Creek Waterfowl Management Area is closed during duck season)
- Kickapoo State Park (closed during second firearm deer season) (1) (2)
- Kinkaid Lake Fish and Wildlife Area (1) (2)
- Mermet Lake Conservation Area (1) (2)
- Middle Fork Fish and Wildlife Area (closed during second firearm deer season) (1) (2)
- Mississippi River Pool 16 (1)
- Mississippi River Pool 17 (1)
- Mississippi River Pool 18 (1)
- Mississippi River Pools 21, 22, 24 (1)
- Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 [\(1\)](#)
- Oakford Conservation Area (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Pere Marquette State Park (hunting in designated area only) [\(1\)](#) (2)

Pyramid State Park (1) (2)

Ray Norbut Fish and Wildlife Area (2)

Rend Lake Project Lands and Waters (1)

Saline County Fish and Wildlife Area (1) (2)

Sand Ridge State Forest (1) (2)

Sanganois Fish and Wildlife Area (1)

Sielbeck Forest Natural Area (1) (2)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (4)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (Firing Line Unit only) (1) (2)

Weinberg-King State Park (2)

Wildcat Hollow State Forest (1)

- i) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (6). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, if required. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5. All hunters must check out and report harvest.

Castle Rock State Park (closed during second firearm season; antlerless deer only)
(2) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Clinton Lake State Recreation Area (North Fork Management Unit, north of the county road at the North Fork boat ramp) (1)

Falling Down Prairie (closed during the second firearm deer season) (2)

Hanover Bluff-Kopper Tract (closed during the second firearm deer season) (2)

Hidden Springs State Forest (closed during second firearm deer season) (1) (2)

Marseilles Fish and Wildlife Area (closed during second firearm deer season) (all tree stands must be removed from this area no later than sunset of the last day of archery deer season) (1) (2) (6)

Midwin National Tallgrass Prairie (closed during the second firearm deer season) (5)

Pyramid State Park – East Conant Unit (1)(4)

Sahara Woods (1) (2)

[Sangamon County Conservation Area \(closed during second firearm deer season\)](#)
[\(1\)](#)

Tapley Woods State Natural Area (closed during the second firearm deer season)

Wards Grove Nature Preserve (closed during the second firearm deer season; antlerless deer only) (2) [\(6\)](#)

- j) [Violations of site specific regulations are petty offenses \(see 520 ILCS 5/2.20\)](#)~~Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).~~

(Source: Amended at 27 Ill. Reg. 10018, effective June 23, 2003)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3) Section Numbers:

	<u>Adopted Action:</u>
670.40	Amendment
670.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].
- 5) Effective Date of Amendments: June 23, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 14, 2003, 27 Ill. Reg. 2564
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

In Section 670.60(g) – changed "Franklin Creek State Park" to "Franklin Creek State Natural Area"

In Section 670.60(g) - added the following site:

Snakeden Hollow Fish and Wildlife Area – Ives Unit (1) (2)

In Section 670.60(h), Horseshoe Lake State Park – added "(2)" to reflect text currently on file with is being deleted.

Additional changes were non-substantial and were made to correct grammar, punctuation and spelling errors.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 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 an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to update a statutory citation, open additional sites to hunting and add site-specific regulations.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jonathan Furr, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 670

WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

670.10	Statewide Open Seasons and Counties
670.20	Statewide Deer Permit Requirements
670.21	Deer Permit Requirements – Landowner/Tenant Permits
670.30	Statewide Legal Bow and Arrow
670.40	Statewide Deer Hunting Rules
670.50	Rejection of Application/Revocation of Permits
670.55	Reporting Harvest
670.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5561, effective April 19, 1997; amended at 22 Ill. Reg. 7995, effective April 28, 1998; amended at 23 Ill. Reg. 6829, effective May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg. 7217, effective May 22, 2001; amended at 25 Ill. Reg. 11471, effective August 14, 2001;

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

amended at 26 Ill. Reg. 9356, effective June 17, 2002; amended at 27 Ill. Reg. 10025, effective June 23, 2003.

Section 670.40 Statewide Deer Hunting Rules

- a) The bag limit is one deer per legally authorized either-sex, antlered-only or antlerless-only permit. All either-sex permits and antlered-only permits are subject to the following restriction: no hunter, regardless of the quantity or type of permits in his/her possession, may harvest more than 2 antlered deer during a year, including the archery, muzzleloader and firearm seasons. For purposes of this subsection, deer seasons are considered to be in the same year if their opening dates fall within the same 12-month period that begins on July 1. A hunter in possession of an either-sex permit after having harvested 2 antlered deer during a year, as defined above, may only use the permit to harvest an antlerless deer. Subject to this restriction, an either-sex permit holder is allowed to take a deer with or without antlers; and an antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless-only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.
- b) The Illinois Restricted Archery Zone shall consist of Champaign, DeWitt, Macon, Moultrie, and Piatt counties. No more than 2 deer may be harvested per hunter during the archery season in the Restricted Archery Zone. During the period October 1-October 31, only antlered deer may be harvested in the Restricted Archery Zone, regardless of permits in possession. An antlered deer is defined as a deer having at least one antler of a length of 3 or more inches. All restrictions listed in subsection (a) also apply in the Restricted Archery Zone.
- c) Recipients of any type of Archery Deer Hunting Permit shall record their signature on the permit prior to hunting and must carry it on their person while hunting. In addition, holders of combination permits (consisting of both either-sex and antlerless-only tags on a single form) shall record their name and complete address on the check station tag portions of their permit prior to hunting.
- d) The temporary harvest tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer. The temporary harvest tag should be attached around the base of the antler of antlered deer (antlers 3 or more inches in length), and attached to the leg of antlerless deer (<3 inch antler length, or no antlers). A

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

permanent harvest tag will be attached to the leg of the deer upon check out at the check station. If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany them and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

- e) Hunters shall not have in their possession, while in the field during archery deer season, any deer permit issued to another person (permits are non-transferable).
- f) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter.
- g) Unlawful take or possession of one deer is a Class B misdemeanor (see 520 ILCS 5/2.24); unlawful take or possession of two or more deer in a 90-day period is a Class 4 felony (see 520 ILCS 5/2.36a~~2.39~~); unlawful take or possession of 2 or more deer as a single act or single course of conduct is a Class 3 felony (see 520 ILCS 5/2.36a); and any other violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 27 Ill. Reg. 10025, effective June 23, 2003.)

Section 670.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that tree stands may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1). Any tree stand left unattended must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- c) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).
- d) Where standby hunters are used to fill quotas, a drawing will be held at sites indicated by a (3).
- e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- g) Statewide regulations shall apply at the following sites:
- * Anderson Lake Fish and Wildlife Area (2)
Apple River Canyon State Park (2)
Argyle Lake State Park (2)
 - * Banner Marsh Fish and Wildlife Area (2)
Beall Woods State Park (antlerless deer only; ~~hunting hours legal opening until 10:00 a.m.; check out by 11:00 a.m.~~) (1) (2)
 - * Big Bend State Fish and Wildlife Area (1) (2)
Big River State Forest (2)
Cache River State Natural Area (1) (2)
Campbell Pond Fish and Wildlife Area (1) (2)
Carlyle Lake Lands and Waters (Corps of Engineers managed lands)
Carlyle Lake Wildlife Management Area (except subimpoundment area is closed 7 days prior to and during the regular waterfowl season; lands bounded on the east by "C" levee, south by "D" levee, west by ACOE property line, and including the posted area west of parking lot #2, will be open the entire archery deer hunting season)
 - Castle Rock State Park (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Crawford County Conservation Area (1) (2)

Cypress Creek National Wildlife Refuge

Cypress Pond State Natural Area (1) (2)

[Deer Pond State Natural Area \(1\) \(2\)](#)

Dixon Springs State Park (1) (2)

Dog Island Wildlife Management Area (1) (2)

- * Eldon Hazlet State Park (Hunting is only permitted north of Allen Branch, north of Hazlet Park Road between the park boundary and its intersection with Allen Branch Road, north of Allen Branch Road between its intersection with Hazlet Park Road and Allen Branch Boat Access Area, and west of Peppenhorst Branch. Hunting is not permitted in the controlled pheasant area during the site's controlled pheasant season (except on days when controlled pheasant hunting is closed) and the five consecutive days following the site's controlled pheasant season, or in the North Allen Branch Waterfowl Management Unit after the opening of the statewide waterfowl season. Additionally, a limited hunting opportunity exists for persons with disabilities west of the main park road going towards the Illini Campground. Disabled hunters as defined in 520 ILCS 5/3.1(c) may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from pre-determined locations. Disabled hunters may hunt during the statewide archery season as described in [Section 670.10-17 Ill. Adm. Code 650.10](#), except on days when the site's controlled pheasant hunting is open and the 5 consecutive days following the site's controlled pheasant season.) (2)

Falling Down Prairie (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (1) (2)

Fort Massac State Park (1) (2)

- * Franklin Creek State [Natural Area](#) ~~Park~~ [\(antlerless only in designated areas and during specified times\)](#) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Giant City State Park (1) (2)

Goose Lake Prairie State Park (tree stands not allowed; "Texas" type tripod stands allowed; antlerless deer only) (2) (3)

Green River State Wildlife Area (1) (2)

Hanover Bluff-Kopper Tract (2)

Heidecke State Fish and Wildlife Area (2) (3) (5)

Horseshoe Lake Conservation Area – Alexander County (Controlled Goose Hunting Area – open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1) (2)

I-24 Wildlife Management Area (1) (2)

Iroquois County State Wildlife Area/Hooper Branch only (1) (2)

* Jubilee College State Park (2) (4)

Kaskaskia River Fish and Wildlife Area (1) (2) (except south of Highway 154 and north of Highway 13)

Kidd Lake State Natural Area (1)

Kinkaid Lake Fish and Wildlife Area (1) (2)

Lake Le Aqua Na State Park (antlerless deer only; November 1-30; hunting hours legal opening until 10:00 a.m.) (2)

Lowden-Miller State Forest (1) (2) (4)

Mackinaw River Fish and Wildlife Area (1) (2)

Marseilles Fish and Wildlife Area (closed Friday, Saturday, and Sunday in October only) (all tree stands must be removed from this area no later than the last day of the season) (1) (2)

Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Maytown Pheasant Habitat Area (hunting allowed during October only) (2)

Mississippi Fish and Waterfowl Management Area – Pools 25 and 26 [\(1\)](#)

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

[*](#) Mt. Vernon Propagation Center (~~hunting allowed during October only~~) (1) (2)

[Nauvoo State Park \(Max Rowe Unit Only\)](#)

Oakford Conservation Area

[*](#) Peabody River King State Fish and Wildlife Area (East and North subunits close November 1) (1) (2)

Pere Marquette State Park (area east of Graham Hollow Road) (1) (2)

Pyramid State Park (1) (2)

[*](#) Randolph County Conservation Area (1) (2)

Ray Norbut Fish and Wildlife Area (2)

[*](#) Red Hills State Park (1) (2)

Rend Lake Project Lands and Waters (1)

Rend Lake Project Lands and Waters (designated area on refuge only, designated dates between October 1-October 31) (1) (2)

[*](#) Rice Lake Fish and Wildlife Area (2)

[*](#) Rock Cut State Park (only during the special firearm deer hunt on the site; hunting from DNR established blind sites only; hunting limited to holders of Class P2A disability cards and escorts) (2) (3)

Saline County Fish and Wildlife Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- * Sam Parr State Park (1) (2)
Sangamon County Conservation Area
Sanganois State Wildlife Area (1)
- * Shabbona Lake State Park (2)
[Siloam Springs State Park \(Fall Creek Unit\)](#)
Sielbeck Forest Natural Area (1) (2)
- * Silver Springs State Park (2)
[Snakeden Hollow Fish and Wildlife Area - Ives Unit \(1\) \(2\)](#)
Tapley Woods State Natural Area (2)
Trail of Tears State Forest (1) (2)
Turkey Bluffs Fish and Wildlife Area (1) (2)
Union County Conservation Area (Controlled Goose Hunting Area – open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing) (1) (2)
Walnut Point Fish and Wildlife Area (1)
- * Washington County Conservation Area (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season) (1) (2)
Weinberg-King State Park (2)
[Weinberg-King State Park \(Cecil White Unit\)](#)
Wildcat Hollow State Forest (1)
Witkowsky State Wildlife Area (opens October 15) (2)
- h) Statewide regulations shall apply at the following sites except that hunter quotas

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

shall be filled by mail-in drawing:

Beaver Dam State Park

Horseshoe Lake State Park (Madison County) (hunting in designated areas only; hunting will close at end of regular duck season) (1)~~(2)~~

Hurricane Creek Habitat Area (hunter quotas filled by drawing; must have Fox Ridge site permit to be eligible)

Momence Wetland

Pere Marquette State Park (hunting in designated camp areas only; season begins the first weekday after camps close)

Sahara Woods (1) (2)

~~Union County Conservation Area~~

- i) State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1)

Clinton Lake State Recreation Area (1)

Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (closed to archery deer hunting during the site's upland game hunting season) (2)

Des Plaines Game Propagation Center (2)

- * Eagle Creek State Park (disabled hunters are exempt from site's antler restrictions) (4)

Fox Ridge State Park (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Hamilton County Conservation Area (1)

Harry "Babe" Woodyard State Natural Area (1) (4)

Hidden Springs State Forest (1)

- * Horseshoe Lake State Park (Madison County – Gaberet, Mosenthein and Chouteau Island Units)

Kankakee River State Park (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season. Additionally, a limited hunting opportunity for persons with disabilities exists at the Davis Creek Bike Trail Area. Disabled hunters, as defined in 520 ILCS 5/3.1(c), may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during disabled hunting season ([the first Friday in November to the day before the first firearm deer season, except two blinds will be available until the close of the archery deer season the day after the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 to December 24](#)))

Kickapoo State Park (1)

[Kishwaukee River State Fish and Wildlife Area](#)

Matthiessen Dells State Park (antlerless deer only; closed during the special site firearm deer seasons and open during the statewide firearm deer seasons) (2)

Mautino State Fish and Wildlife Area (1)

Mazonia/Braidwood State Fish and Wildlife Area (4)

Mermet Lake Conservation Area (1) (2)

Middle Fork Fish and Wildlife Area (1)

- * Mississippi Palisades State Park (November 1 through December 31) (closed during the first firearm deer season) (1)

Newton Lake Fish and Wildlife Area (check deer at site office)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- * Pekin Lake Fish and Wildlife Area (1)
 - Pyramid State Park – Captain Unit (1) (4)
 - Pyramid State Park – Denmark Unit (1) (4)
 - Pyramid State Park – East Conant Unit (1) (4)
 - Pyramid State Park – Galum Unit (1) (4)
 - Ramsey Lake State Park (1)
- * Sam Dale Lake Conservation Area (1)
 - Sand Ridge State Forest (1)
 - [Sandy Ford \(permits available at Starved Rock State Park Office\) \(2\)](#)
 - Shelbyville Wildlife Management Area (1)
 - Siloam Springs State Park – Buckhorn Unit (resident hunters only) (2) (4)
 - Siloam Springs State Park – Scripps Unit (resident hunters only) (2) (4)
 - [Snakeden](#) ~~Snake Den~~-Hollow Fish and Wildlife Area (October 1 through start of the central zone goose season)
- * Spring Lake Fish and Wildlife Area (1)
- * Starved Rock/Matthiessen State Park (antlerless deer only; closed during the special firearm deer seasons; deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange during the statewide firearm and muzzleloader deer seasons; hunting in designated areas only) (2)
- * Stephen A. Forbes State Park (1)
 - Ten Mile Creek Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1); Belle Rive Unit only (4)
 - Volo Bog State Natural Area (hunting only from November 1 through December 31; Monday through Wednesday only; except State holidays) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- j) Statewide regulations shall apply except that no hunting is permitted Wednesday through Sunday of the site's permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes Tuesday following the close of the permit pheasant hunting season; season reopens on December 26 till close of regular season)

Iroquois County Conservation Area (2)

Johnson Sauk Trail State Recreation Area (1) (2)

Moraine View State Park (1)

Wayne Fitzgerald State Recreation Area (no bowhunting during controlled hunts as posted at the site; bowhunting by site issued permit; application procedure to be announced) (1) (2)

- k) Statewide regulations shall apply at the following sites except that:

- 1) Nonresident hunter quotas shall be filled by mail-in drawing. Information about specific drawing dates and application procedures will be publicly announced. Successful applicants will be issued a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.
- 2) Resident hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Jim Edgar Panther Creek State Fish and Wildlife Area (1) (4)

- * Sangchris Lake State Park (an antlerless deer must be taken on site before an antlered deer is harvested) (1) (2) (5)

Siloam Springs State Park (2) (4)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- l) Statewide regulations shall apply at this site except that:

Hunter quotas for specific periods shall be filled by mail-in drawing. Only Illinois residents are eligible to apply. Information about drawing dates and application procedures will be publicly announced. Successful applicants will be issued a permit for the time period specified. This permit must be in possession while hunting and returned by February 15 to the site office. Failure to return the permit shall result in the forfeiture of hunting privileges at this site for the following year. Restricted Archery Zone regulations apply.

Weldon Springs State Park – Piatt County Unit

- m) Violations of site specific regulations are [petty offenses](#) ~~Class-B misdemeanors~~ (see 520 ILCS [5/2.20-5/2.24](#)).

(Source: Amended at 27 Ill. Reg. 10025, effective June 23, 2003).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Possession of Specimens or Products of Endangered or Threatened Species
- 2) Code Citation: 17 Ill. Adm. Code 1070
- 3) Section Numbers: Adopted Action:
1070.10 Amendment
1070.20 Amendment
1070.30 Amendment
1070.60 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 4 and 11(c) of the Illinois Endangered Species Protection Act [520 ILCS 10/4 and 11(c)].
- 5) Effective Date of Amendments: June 23, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: March 28, 2003, 27 Ill. Reg. 5066
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: Changes are non-substantial and were made to correct grammar, spelling and punctuation errors.
- 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 an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to update the Department's address and statutory citations.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Jonathan Furr, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER c: ENDANGERED SPECIES

PART 1070

POSSESSION OF SPECIMENS OR PRODUCTS OF ENDANGERED OR THREATENED SPECIES

Section

1070.10	Definitions
1070.20	Permit Requirements
1070.30	Permit Provisions
1070.40	Limited Permit Provisions
1070.50	Reporting Requirements
1070.60	Facilities and Welfare Standards (Animal)
1070.70	Facilities Standards (Plant)
1070.80	Revocation

AUTHORITY: Implementing and authorized by Sections 4 and 11(c) of the Illinois Endangered Species Protection Act [520 ILCS 10/4 and 11(c)].

SOURCE: Adopted at 13 Ill. Reg. 14934, effective September 11, 1989; amended at 14 Ill. Reg. 18264, effective October 29, 1990; amended at 15 Ill. Reg. 13341, effective September 3, 1991; amended at 17 Ill. Reg. 18799, effective October 19, 1993; amended at 18 Ill. Reg. 5838, effective April 5, 1994; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 27 Ill. Reg. 10040, effective June 23, 2003.

Section 1070.10 Definitions

Animal – those organisms commonly included in the science of zoology and generally distinguished from plants by possession of a nervous system and the ability to move from place to place, including all invertebrates such as sponges and mollusks as well as vertebrates such as fishes, amphibians, reptiles, birds, and mammals. (Section 2 of the Illinois Endangered Species Protection Act) (the Act) [520 ILCS 10/2].

Animal Product – the fur, hide, skin, teeth, feathers, tusks, claws, eggs, nests or the body or any portion thereof whether in a green or raw state or as a product manufactured or refined from an animal protected under the Illinois Endangered Species Protection Act (Section 2 of the Act) or under [this Part](#) ~~rules issued pursuant to that Act~~.

Board – the Illinois Endangered Species Protection Board. (Section 2 of the Act).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Department – the Illinois Department of Natural Resources. (Section 2 of the Act):

Director – the Director of the Illinois Department of Natural Resources. (Section 2 of the Act):

Endangered Species – any species of plant or animal classified as endangered under the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) and amendments thereto, plus such other species which the Board may list as in danger of extinction in the wild in Illinois due to one or more causes including but not limited to, the destruction, diminution or disturbance of habitat, overexploitation, predation, pollution, disease, or other natural or manmade factors affecting its prospects of survival, but not including nursery plant stock obtained from a non-wild source, nor pre-act or legally obtained birds of prey held by licensed falconers. (Section 2 of the Act):

Federal Endangered Plant – A plant appearing on the Federal Endangered Species List.

Illinois List – those species of animals and plants listed by the Board as endangered or threatened. (Section 2 of the Act):

Person – any individual, firm, corporation, partnership, trust, association, private entity, government agency, or their agents, and representatives. (Section 2 of the Act):

Plant – any organism not considered to be an animal, including such organisms as algae, fungi, bryophytes, and ferns, as well as flowering plants and conifers. (Section 2 of the Act):

Plant Product – any plant body or part thereof removed from natural habitat, including seeds, fruits, roots, stems, flowers, leaves, or products made from any of these, including extracts and powders. (Section 2 of the Act):

Program Manager – the supervisor of the Endangered and Threatened Species Conservation Program in the Department.

Scrap – to dispose of a specimen or product of an endangered or threatened species in a manner which permanently removes that specimen or product from the possession of the permit holder and renders the specimen or product unsuitable for possession by any other person. This shall include, but not be limited to euthanasia, burning, or burial.

Specimen – a live individual of any animal or plant species.

Take – in reference to animals and animal products, to harm, hunt, shoot, pursue, lure,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. In reference to plants and plant products, to collect, pick, cut, dig up, kill, destroy, bury, crush, or harm in any way.

Threatened Species – any species of plant or animal classified as threatened under the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) and amendments thereto, plus such other species which the Board may list as likely to become endangered in Illinois within the foreseeable future. (Section 2 of the Act).

(Source: Amended at 27 Ill. Reg. 10040, effective June 23, 2003)

Section 1070.20 Permit Requirements

- a) It shall be unlawful for any person to take, possess, transport, purchase, or dispose of specimens or products of an endangered or threatened animal or federal endangered plant after the date of listing unless a valid permit for such activity has been issued pursuant to this Part or as otherwise provided for in this Section or 17 Ill. Adm. Code 1590 (Falconry and the Captive Propagation of Raptors) or ~~Ill. Rev. Stat. 1991, ch. 56, pars. 20-85~~ [515 ILCS 5/20-85]; ~~Ill. Rev. Stat. 1991, ch. 61, pars. 3.11, 3.12, 3.15, 3.16, 3.18 and 3.21~~ [520 ILCS 5/3.11, 3.12, 3.15, 3.16, 3.18 and 3.21].
- b) Any person having a current, valid permit issued by the U.S. Fish and Wildlife Service pursuant to the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) or an Exhibitor Permit issued by the U.S. Department of Agriculture for the taking, possession, transportation, purchase, or disposal of species designated as endangered or threatened by the Secretary of the Interior of the United States and not known to occur within the State of Illinois, shall be considered to have met the requirements for issuance of a permit pursuant to this Part and shall be issued a permit upon request.
- c) Notwithstanding subsection (a), any person may possess or transport a species on the Illinois list within Illinois for purposes such as circuses, theatrical acts, carnivals, or displays, provided that the listed species is held under a current, valid permit for such purposes issued by the U.S. Fish and Wildlife Service pursuant to the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) or an Exhibitor Permit issued by the U.S. Department of Agriculture or the appropriate authorities of a state other than Illinois, for a period not to exceed ~~thirty~~(30) days in any calendar year.
- d) Notwithstanding subsection (a), any employee or agent of the Department or the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Board or the U.S. Fish and Wildlife Service who is designated by that agency for such purposes, shall be authorized, when acting in the course of his official duties, to take endangered or threatened animals without a permit if such action is necessary to aid a sick, injured or orphaned specimen; or dispose of a dead specimen; or salvage a dead specimen which may be useful for scientific study or educational purposes.

- e) Any taking pursuant to subsection (d) must be reported in writing to the Program Manager within ~~ten (10)~~ working days.
- f) It shall be unlawful for any person to possess, purchase, or dispose of specimens or products of an endangered or threatened animal or federal endangered plant which was in the possession of that person prior to May 1, 1973, or acquired legally out-of-state unless a valid limited permit for such activity has been issued pursuant to this Part, which permit shall be issued upon proof of pre-Act or legal acquisition.
- g) It shall be unlawful for any person to propagate or attempt to propagate any endangered or threatened animal or federal endangered plant unless a valid permit specifically allowing such activity has been issued pursuant to this Part.
- h) It shall be unlawful for any person to perform taxidermic services upon any product of an endangered or threatened species except as allowed by this Part.
- i) It shall be unlawful for any person to possess an endangered or threatened animal for purposes of veterinary rehabilitation for a period exceeding ~~ninety (90)~~ days unless a valid permit for such activity has been issued pursuant to this Part. Only persons holding a rehabilitation permit issued by the Department shall possess endangered or threatened animals for such purposes. All rehabilitators are required to notify the Program Manager within 10 working days of the receipt of any endangered or threatened animals. Release of rehabilitated animals shall be only at the location at which the animal was collected or at another location approved by the Department.
- j) Permits issued under this Part or valid copies thereof must be in the possession of the holder or his agent when engaged in activities involving endangered or threatened animals or federal endangered plants and presented upon demand to any authorized officer or agent of the Department or any police officer of the State of Illinois or of any unit of local government within the State of Illinois.
- k) No person shall transfer a permit issued pursuant to this Part to another person.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- l) Except as otherwise stated on the face of a permit, any person who is under the direct control of the permittee, or who is employed by or under contract to the permittee for the purposes authorized by the permit, may carry out the activity authorized by the permit.
- m) The authorizations on the face of a permit which allow specific activities (e.g., taking, possession, disposal), specify numbers or quantities of specimens or products, or otherwise permit a specifically limited matter, are to be strictly construed and shall not be interpreted to permit similar or related matters outside the scope of strict construction.
- n) A permittee who furnishes his permit to the Director for endorsement or correction in compliance with this Part may continue those activities authorized by the permit pending its return.
- o) All correspondence regarding permits issued pursuant to this Section shall be addressed to:

Endangered Species Program Manager
[Resource Protection and Stewardship](#) ~~Division of Natural Heritage~~
Illinois Department of Natural Resources
[One Natural Resources Way](#) ~~524 S. Second Street~~
Springfield, IL [62702-1271](#) ~~62701-1787~~

(Source: Amended at 27 Ill. Reg. 10040, effective June 23, 2003).

Section 1070.30 Permit Provisions

To take, possess, transport, purchase, or dispose of specimens or products of endangered or threatened animals or federal endangered plants after the date of listing, an applicant must provide a scientific, educational, or zoological/botanical justification to keep such animals, animal products, plants, or plant products.

- a) Scientific Purpose – Persons planning to conduct research involving endangered or threatened animals or federal endangered plants must apply for a permit for scientific purposes.
 - 1) In addition to completing a permit application form provided by the Department, the applicant for a scientific permit must submit:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- A) an outline of the proposed research, including the scientific justification for such research, methods to be used, needs for the use of an endangered or threatened species, and a statement as to how the proposed research will enhance the survival and well-being of the species involved;
 - B) a description, including photographs, of the facilities intended for use in holding the endangered or threatened species; and
 - C) a statement of the qualifications of the applicant to conduct the proposed research, including educational history, experience in similar research, and a list of pertinent publications and professional activities.
- 2) Scientific purposes include, but may not be limited to:
- A) study of biology, physiology, or behavior of the affected species; and
 - B) banding or otherwise marking these species including eggs, seeds, dens, nests, or progeny.
- 3) A permit for scientific purposes will be approved if the research proposal meets the following criteria:
- A) the applicant's credentials indicate training and experience which will assure that the applicant has the ability to conduct the proposed research.
 - B) the proposed research cannot be conducted using a non-listed species;
 - C) the proposed research can be expected to yield results which will enhance the survival and welfare of wild populations of the species involved; and
 - D) the facilities to be used to house endangered or threatened species are shown to meet the standards defined in Sections 1070.60 or 1070.70 of this Part.
- b) Educational Purposes – Persons wishing to utilize specimens or products of

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

endangered or threatened animals or federal endangered plants in an educational program must apply for a permit for educational purposes. Permits for educational purposes will be issued only to institutions (e.g., schools, museums, zoos) or to individuals employed and/or sponsored by such an institution.

- 1) In addition to completing a permit application form provided by the Department, the applicant for an educational permit must submit:
 - A) an outline of the educational program to be presented. Every educational program shall include information on the endangered or threatened status of the specimens being displayed and an explanation of the legal acquisition of the specimens;
 - B) a list of all similar programs conducted by the applicant during the two years preceding the application for an educational permit, including estimates of the number of persons attending each presentation;
 - C) a statement as to how the possession of the specimens or products of endangered or threatened animals or federal endangered plants by the applicant will enhance the welfare of the species involved;
 - D) a description, including photographs, of the facilities intended for use in holding the endangered or threatened species; and
 - E) a verified statement that any specimens to be used in the educational program will be obtained legally.
- 2) A permit for educational purposes will be issued if the proposed educational program meets the following criteria:
 - A) the credentials of the applicant indicate training and experience which will assure that the applicant has the ability to conduct the proposed program;
 - B) the program promotes the survival of the endangered or threatened species and its natural habitat;
 - C) the program promotes understanding of the ecological needs of natural populations of the species;

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- D) the program promotes understanding of the role of the endangered or threatened species in its natural environment; and
 - E) the facilities to be used to house endangered or threatened species are shown to meet the standards defined in Section 1070.60 or 1070.70 of this Part.
- c) Zoological/Botanical Purpose – Persons wishing to display specimens or products of endangered or threatened animals or federal endangered plants in a zoological/botanical program (e.g., zoological parks, aquaria, arboreta) must apply for a permit for zoological/botanical purposes. If specimens to be held under a permit for zoological/botanical purposes are to be available for public viewing, the public display shall include a notice which describes the endangered or threatened status of the species and explains the means of legal acquisition of the specimens. Such notice shall be posted prominently in a location easily visible to all visitors.
- 1) In addition to completing a permit application form provided by the Department, the applicant for a zoological/botanical permit must submit:
 - A) a photostatic copy of an Exhibitor Permit issued by the U.S. Department of Agriculture;
 - B) an outline of all proposed programs that would utilize specimens or products of endangered or threatened species;
 - C) a statement of the training and experience of those persons to be responsible for the care of the endangered or threatened species;
 - D) a statement as to how the possession of the specimens or products of endangered or threatened animals or federal endangered plants by the applicant will enhance the welfare of the species involved;
 - E) a description, including photographs, of the facilities intended for use in holding the endangered or threatened species; and
 - F) a verified statement that any specimens to be used in a zoological/botanical program will be legally obtained.
 - 2) A permit for zoological/botanical purposes will be issued if the proposed zoological/botanical program meets the following criteria:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- A) the credentials of the applicant indicate training and experience which will assure that the applicant has the ability to conduct the proposed program;
 - B) the program promotes the survival of the endangered or threatened species and its natural habitat;
 - C) the program promotes understanding of the ecological needs of natural populations of the species;
 - D) the program promotes understanding of the role of the endangered or threatened species in its natural environment; and
 - E) the facilities to be used to house endangered or threatened species are shown to meet the standards defined in Section 1070.60 or 1070.70 of this Part.
- d) Permit for Propagation of Endangered or Threatened Species – Persons wishing to propagate or attempt to propagate any endangered or threatened species of animal or federal endangered plant must apply for a permit for such purposes. Propagation permits may be issued as an addendum to permits for scientific or zoological/botanical purposes. A permit for educational purposes shall not include permission to propagate or attempt to propagate endangered or threatened species. A permit issued pursuant to 17 Ill. Adm. Code 1590 (Falconry and the Captive Propagation of Raptors) for the propagation of raptors shall be deemed to meet the requirement of this Part.
- 1) In addition to the materials submitted as application for a scientific or zoological/botanical permit, the applicant for a propagation permit must submit:
 - A) a statement as to how the propagation of endangered or threatened animals or federal endangered plants by the applicant will enhance the welfare of the species;
 - B) a statement describing the disposition of any successfully propagated individuals. Release of such individuals into natural populations or attempts to reintroduce a species into an area where it is known or believed to have formerly occurred will be allowed only with the express written consent of the Director, pursuant to

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Sections 2.2 and 2.3 of the Wildlife Code (~~Ill. Rev. Stat. 1991, ch. 61, pars. 2.2 and 2.3~~) [520 ILCS 5/2.2 and 2.3]; and

- C) a statement as to how the propagation of the endangered or threatened species is necessary for the success of the scientific or zoological/botanical project.
- 2) A permit for the propagation or attempted propagation of endangered or threatened animals or federal endangered plants will be issued if the proposed propagation project meets the following criteria:
- A) propagation of the species will enhance the survival and welfare of the species through supplementation of natural populations or by adding significantly to the knowledge of the species in its natural environment; and
 - B) propagation is essential to the completion of the objectives stated in the application for a permit for scientific or zoological/botanical purposes.
- e) The holder of a permit may allow temporary possession of animal products covered by that permit by a licensed taxidermist for the purpose of providing taxidermic services (e.g. mounting, cleaning, tanning). A copy of the permit or a signed statement by the permit holder attesting to the existence of such a permit must accompany the products while in the possession of the taxidermist. Taxidermic services shall be provided only by persons licensed as taxidermists by the Department pursuant to Section 5-155.15 of the Fish Code (~~Ill. Rev. Stat. 1991, ch. 56, par. 5.15~~) [515 ILCS 5/5-155.15] and Section 3.21 of the Wildlife Code (~~Ill. Rev. Stat. 1991, ch. 61, par. 3.21~~) [520 ILCS 5/3.21] or by appropriate authorities of another state.
- f) The holder of a permit may dispose of specimens or products covered by that permit through transfer or scrapping only after a permit for disposal has been applied for and received from the Department. The application for a transfer permit shall include the name and address of the intended recipient of the specimens or product. Transfer will be allowed only after the intended recipient has applied for and received the necessary permit for possession.

(Source: Amended at 27 Ill. Reg. 10040, effective June 23, 2003).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- a) A copy of applicable facilities and animal welfare standards (~~see~~^{See} subsection (c)) will be supplied with each application form, and the applicant's signature on the application form shall be acknowledgement of the receipt of the standards and an agreement to comply with the standards.
- b) Each applicant or permit holder must demonstrate that his premises and any facilities or equipment used in his operation comply with the standards set forth in this Section. If necessary to assure adequacy of facilities upon application or upon receipt of a complaint, the Program Manager or the Director shall request the applicant or permit holder to make his premises, facilities, and equipment available at a time or times mutually agreeable to said applicant or permit holder and the Department's representative for the purpose of ascertaining compliance with said standards. If the applicant's or permit holder's premises, facilities, or equipment do not meet the requirements of the standards, the applicant or permit holder will be advised of existing deficiencies and the corrective measures that must be taken and completed to bring such premises, facilities, and equipment into compliance with the standards. Permit holders will be given a deadline by which prescribed corrective measures must be completed.
- c) Construction and maintenance of facilities and animal welfare practices must meet the standards defined in the Federal Animal Welfare Act (9 CFR 3.125 through ~~3.142-3.135~~^{3.142-3.135}, July 22, 1979, no further additions or amendments are included).

(Source: Amended at 27 Ill. Reg. 10040, effective June 23, 2003).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Capacity Plates Standards on Various Watercraft
- 2) Code Citation: 17 Ill. Adm. Code 2070
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2070.10	Amendment
2070.20	Amendment
2070.30	Amendment
- 4) Statutory Authority: Implementing Section 5-4 and authorized by Sections 8-3 and 9-1 of the Boat Registration and Safety Act [625 ILCS 45/5-4, 8-3 and 9-1].
- 5) Effective Date of Amendments: June 23, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendments, including all material incorporated by reference is on file in the Department of Natural Resource's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: March 21, 2003, 27 Ill. Reg. 4884
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: Changes were non-substantial and were made to correct grammar, spelling and punctuation errors.
- 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 an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to update statutory citations.
- 16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jonathan Furr, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER e: LAW ENFORCEMENTPART 2070
CAPACITY PLATES STANDARDS ON VARIOUS WATERCRAFT

Section	Purpose
2070.10	Purpose
2070.20	Standards – Safe Loading
2070.30	Standards – Safe Powering

AUTHORITY: Implementing Section 5-4 and authorized by Sections 8-3 and 9-1 of the Boat Registration and Safety Act [625 ILCS 45/5-4, 8-3 and 9-1].

SOURCE: Added February 5, 1968, effective February 1, 1968; codified at 5 Ill. Reg. 10662; Part repealed at 8 Ill. Reg. 1563, effective January 23, 1984, new Part adopted at 8 Ill. Reg. 1973, effective January 27, 1984; amended at 13 Ill. Reg. 17345, effective October 27, 1989; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 27 Ill. Reg. 10053, effective June 23, 2003.

Section 2070.10 Purpose

This Part prescribes the methods approved by the Department of Natural Resources for determining the weight-carrying capacity of every vessel subject to the provisions of Section 5-4 and Section 7-3 of the Boat Registration and Safety Act [\[625 ILCS 45/5-4 and 7-3\]](#) ~~as amended (Ill. Rev. Stat. 1987, ch. 95½, pars. 315-4 and 317-3)~~, and the method for determining the maximum horsepower of outboard motors for all vessels designed or represented by the manufacturer as being suitable for use with outboard ~~motor~~ [motor\(s\)](#).

(Source: Amended at 27 Ill. Reg. 10053, effective June 23, 2003).

Section 2070.20 Standards – Safe Loading

The Illinois Department of Natural Resources adopts the standards contained in 33 CFR 183, Subpart C, [effective June 29, 1999 \(no incorporation in this Part includes later amendments or editions\)](#) ~~(1988)~~, as its minimum standards for the safe loading testing procedure.

(Source: Amended at 27 Ill. Reg. 10053, effective June 23, 2003).

Section 2070.30 Standards – Safe Powering

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

The Illinois Department of Natural Resources adopts the standards contained in 33 CFR 183, Subpart D, [effective October 23, 1986 \(no incorporation in this Part includes later amendments or editions\)](#) ~~(1988)~~, as its minimum standards for the safe powering test procedure.

(Source: Amended at 27 Ill. Reg. 10053, effective June 23, 2003).

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Use of Radionuclides in the Healing Arts
- 2) Code Citation: 32 Ill. Adm. Code 335
- 3)

<u>Section Number:</u>	<u>Adopted Action:</u>
335.20	Amendment
335.50	New Section
335.9010	Amendment
335.9020	Repeal
335.9030	Amendment
335.9040	Amendment
335.9050	Amendment
335.9060	Amendment
335.9070	Amendment
335.9080	Repeal
335.9090	Repeal
335.9100	Amendment
335.9120	Amendment
335.9130	Amendment
335.9140	Amendment
335.9150	Amendment
335.9160	Amendment
335.9170	Repeal
335.9180	Amendment
335.9190	Amendment
APPENDIX A	New Section
- 4) Statutory Authority: Implementing and authorized by Section 10 of the Radiation Protection Act of 1990 [420 ILCS 40/10].
- 5) Effective Date of Amendments: June 30, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file at the Department's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection.

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 9) Notice of Proposal Published in the Illinois Register:
March 28, 2003 (27 Ill. Reg. 5080)
- 10) Has JCAR issued a Statement of Objections to these Amendment? No
- 11) Differences between proposal and final version:
- a) In the Authority Note, by inserting the word “of” after the phrase “Section 10”.
 - b) In the Source Note, by changing “March 3, 2003” to “March 8, 2002”; and by inserting the phrase “amended at 26 Ill. Reg. 10517, effective July 1, 2002;” after the phrase “maximum of 150 days”.
 - c) In Section 335.20:
 - 1) in the definition of “Licensed practitioner of the healing arts” by inserting a comma after the phrase “[225 ILCS 25]”.
 - 2) moving the definition of “Quarterly” to appear after the definition of “Prescribed dose”.
 - 3) in the definition of “Recordable event”, by changing “microCi” to “mCi” both places it appears.
 - 4) in the definition of “Reportable event”, a Notice of Publication Error was published by the Secretary of State’s office on 5/23/03 by adding and underscoring a comma after the word “radiopharmaceutical” and adding and underscoring the phrase “the wrong route”; by changing “microCi” to “mCi” in the three places it appears in this definition.
 - d) In Section 335.50(a), by changing “microCi” to “mCi”, by changing the word “of” to “after” after the word “hours”, and changing “I-131 sodium iodide” to “sodium iodide I-131”.
 - e) In Section 335.50(b)(1), by changing “microCi” to “mCi”.
 - f) In Section 335.50(b)(6), by changing “dose rate” to “dose-rate”.
 - g) In Section 335.50(c), by changing the word “of” to “after” after the word “hours”.

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- h) In Section 335.9030(b) by changing the word “Sections” to “Section”.
- i) In Section 335.9030(c)(2), by inserting a comma after the phrase “this Section” and changing the word “Sections” to “Section”.
- j) In Section 335.9030(c)(3), by changing “Sections 335.9040” to “Section 335.9040”.
- k) In Section 335.9040(c)(1)(D), by deleting the stricken period.
- l) In Section 335.9040(c)(1)(E), change to “Radiation biology; and”.
- m) In Section 335.9050(a), by removing the phrase “in:”, by deleting the colon on file after the word “by” and removing the underline in the word “by”.
- n) In Section 335.9050(b)(1)(E), by changing “and” to “and”.
- o) In Section 335.9050(b)(2)(G), AGENCY NOTE, by changing “Category” to “subsection (b)(2)” in both places in which it appears.
- p) In Section 335.9060(c)(2), by changing “subsections” to “subsection”.
- q) In Section 335.9060(c)(2)(F), by deleting the comma after the word “subjects”, by changing “that includes” to “and shall include” and changing “BGq” to “GBq”.
- r) In Section 335.9060(c)(3), by changing “Sections” to “Section” and by deleting the common after the word “Part”.
- s) In Section 335.9070(c)(2)(F), by changing “that includes” to “and shall include” and changing “BGq (33 Ci)” to “GBq (33 mCi)”.
- t) In Section 335.9070(c)(3), by inserting a comma between the words “Part or” and deleting the comma between the words “Part must”.
- u) In Section 335.9100(a), by striking the semi-colon after the word “or”.
- v) In Section 335.9100(b)(1)(B)(iv), by deleting “and”.
- w) In Section 335.9100(b)(1)(B), by adding “v) Using administrative controls to prevent the misadministration of radioactive material”; and “vi) Using emergency procedures to control radioactive material”;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- x) In Section 335.9100(b)(2), by deleting the comma after “[formal](#)”.
 - y) In Section 335.9100(b)(3), by inserting a comma after “[certification](#)”, and changing “[Sections](#)” to “[Section](#)”.
 - z) In Section 335.9120(b)(3), by inserting a comma after “[certification](#)”.
 - aa) In Section 335.9130(a), by deleting the semi-colon after “[or](#)”.
 - bb) In Section 335.9140(a), by deleting the semi-colon after “[or](#)”.
 - cc) In Section 335.9140(b)(1)(B)(vi), by inserting “[\)](#)” after “[vi](#)”
 - dd) In Section 335.9140(b)(2), by striking the comma after “[formal](#)”.
 - ee) In Section 335.9150(b), by moving “[:](#)” before the word “and”.
 - ff) In Section 335.9160(b), by inserting a comma after “[podiatrists](#)”, by deleting “[a](#)” before the phrase “[Licensing State](#)” each time it appears in this subsection, and by inserting a comma after “[2004](#)”.
 - gg) In Appendix A, by deleting the phrase “[the table shown in](#)”, changing “[Boards](#)” to “[boards](#)” and by changing “[their](#)” to “[its](#)”.
 - hh) In Appendix A, Section 335.9150, by changing the comma after “[physics](#)” to a semi-colon and by changing “[Radiological](#)” to “[radiological](#)”.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: This amendment will amend the training requirements in its medical rules to address the flexibility currently being provided to medical professionals in other parts of the country. Individuals, such as physicians, who wish to be licensed to use radioactive material for medical use would be allowed flexibility to obtain equivalent training and experience in a variety of methods, rather than a minimum number of hours in a classroom or on-the-job.

This amendment also deletes the lists of medical specialty boards and replaces them with

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

generic language that allows the addition of medical specialty boards to lists of approved boards without rulemaking. The training requirements throughout have been changed from specifying numbers of hours of classroom and numbers of hours of on-the-job training to the more generic total number of hours of training and experience. Other exemptions to training requirements for very specialized applications of radioactive material are being deleted to provide a level of uniformity in training requirements across the country.

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

Louise Michels
Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 524-0770 (voice)
(217) 782-6133 (TDD)

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

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

TITLE 32: ENERGY

CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 335

USE OF RADIONUCLIDES IN THE HEALING ARTS

SUBPART A: GENERAL INFORMATION

Section	
335.10	Purpose and Scope
335.15	Incorporations by Reference
335.20	Definitions
335.30	License Required
335.40	License Amendments
335.50	Written Directives

SUBPART B: GENERAL ADMINISTRATIVE REQUIREMENTS

Section	
335.1010	ALARA Program
335.1020	Radiation Safety Officer
335.1030	Radiation Safety Committee
335.1040	Statement of Authorities and Responsibilities
335.1050	Supervision
335.1060	Authorized User and Visiting Authorized User
335.1070	Mobile Nuclear Medicine Service Administrative Requirements
335.1080	Notifications, Reports and Records of Reportable Events
335.1090	Materials Authorized for Medical Use

SUBPART C: GENERAL TECHNICAL REQUIREMENTS

Section	
335.2010	Possession, Use, Calibration and Check of Dose Calibrators
335.2020	Possession, Calibration and Check of Survey Instruments
335.2030	Assay of Radiopharmaceutical Dosages
335.2040	Authorization for Calibration and Reference Sources
335.2050	Requirements for Possession of Sealed Sources
335.2060	Syringe Shields and Syringe Shield Labels
335.2070	Vial Shields and Vial Shield Labels

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 335.2080 Monitoring for Contamination and Ambient Radiation Dose Rate
335.2090 Safety Instructions for Patients Not Hospitalized and Containing Therapeutic Doses of Radiopharmaceuticals or Permanent Implants
335.2100 Admission of Patients Being Treated with Radiopharmaceuticals or Permanent Implants
335.2110 Discharge of Patients Being Treated with Therapeutic Doses of Radiopharmaceuticals or Permanent Implants
335.2120 Mobile Nuclear Medicine Service Technical Requirements
335.2130 Storage of Volatiles and Gases

SUBPART D: UPTAKE, DILUTION AND EXCRETION

Section

- 335.3010 Use of Radiopharmaceuticals for Uptake, Dilution or Excretion Studies

SUBPART E: IMAGING AND LOCALIZATION

Section

- 335.4010 Use of Radiopharmaceuticals, Generators and Reagent Kits for Imaging and Localization Studies
335.4020 Permissible Molybdenum-99 Concentration
335.4030 Control of Aerosols and Gases

SUBPART F: RADIOPHARMACEUTICALS FOR THERAPY

Section

- 335.5010 Use of Radiopharmaceuticals for Therapy
335.5020 Safety Instruction
335.5030 Safety Precautions for Radiopharmaceutical Therapy

SUBPART G: SEALED SOURCES FOR DIAGNOSIS

Section

- 335.6010 Use of Sealed Sources for Diagnosis

SUBPART H: SEALED SOURCES FOR BRACHYTHERAPY

Section

- 335.7010 Use of Sealed Sources for Brachytherapy
335.7020 Safety Instruction
335.7030 Safety Precautions

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 335.7040 Accountability of Brachytherapy Sources
335.7050 Discharge of Patients Treated With Temporary Implants

SUBPART I: TELETHERAPY

Section

- 335.8010 Use of a Sealed Source in a Teletherapy Unit
335.8020 Maintenance and Repair Restrictions
335.8030 Amendments to Teletherapy Licenses
335.8040 Safety Instructions for Teletherapy
335.8050 Doors, Interlocks and Safety Related Systems
335.8060 Radiation Monitoring Device for Teletherapy
335.8070 Viewing System for Teletherapy
335.8080 Teletherapy Dosimetry Equipment
335.8090 Full Calibration Measurements for Teletherapy
335.8100 Periodic Spot-Checks for Teletherapy
335.8110 Radiation Monitoring of Teletherapy Facilities
335.8120 Safety Checks for Teletherapy Facilities
335.8130 Modification of Teletherapy Unit or Room Before Beginning a Treatment Program
335.8140 Reports of Teletherapy Monitoring, Checks, Tests and Measurements
335.8150 5-Year Teletherapy Inspection

SUBPART J: TRAINING AND EXPERIENCE REQUIREMENTS

Section

- 335.9010 Radiation Safety Officer
335.9020 Training for Experienced Radiation Safety Officer ([Repealed](#))
335.9030 Training for Uptake, Dilution or Excretion Studies
335.9040 Training for Imaging and Localization Studies
335.9050 Training for ~~Therapeutic~~ Use of [Unsealed Radioactive Material for Which a Written Directive is Required](#) ~~Radiopharmaceuticals~~
335.9060 Training for [the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Less Than or Equal to 1.22 GBq \(33 mCi\)](#) ~~Treatment of Hyperthyroidism~~
335.9070 Training for [the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Greater Than 1.22 GBq \(33 mCi\)](#) ~~Treatment of Thyroid Carcinoma~~
335.9080 Training for Therapeutic Use of Soluble Phosphorus-32 ([Repealed](#))
335.9090 Training for Therapeutic Use of Colloidal Chromic Phosphorus-32 Labeled

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- Phosphate Compound or Gold-198 (Repealed)
- 335.9100 Training for Use of Manual Brachytherapy Sources ~~for Brachytherapy~~
- 335.9120 Training for Ophthalmic Use of Strontium-90
- 335.9130 Training for Use of Sealed Sources for Diagnosis
- 335.9140 Training for Use of Remote Afterloader Units, Teletherapy Units and Gamma Stereotactic Radiosurgery Units
- 335.9150 Training for Authorized Medical ~~Teletherapy~~ Physicist
- 335.9160 Training for Experienced Radiation Safety Officer, Authorized Medical Physicist or Authorized Users
- 335.9170 Physician Training in a 3-Month Program (Repealed)
- 335.9180 Recentness of Training
- 335.9190 Resolution of Conflicting Requirements During Transition Period

335.APPENDIX A List of Specialty Board Certifications Accepted by the Department Until October 24, 2004

AUTHORITY: Implementing and authorized by Section 10 of the Radiation Protection Act of 1990 [420 ILCS 40/10].

SOURCE: Adopted at 15 Ill. Reg. 10763, effective July 15, 1991; emergency amendment at 17 Ill. Reg. 9099, effective June 8, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 7308, effective May 2, 1994; emergency amendment at 26 Ill. Reg. 4434, effective March 8, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10517, effective July 1, 2002; amended at 27 Ill. Reg. 10057, effective June 30, 2003.

SUBPART A: GENERAL INFORMATION

Section 335.20 Definitions

"ALARA program" means a program designed to maintain effluents to unrestricted areas, occupational doses and doses to the general public as low as is reasonably achievable.

"Annually" means at intervals not to exceed 1 year.

"Area of use" means a portion of a physical structure that has been set aside for the purpose of receiving, using or storing radioactive material.

"Authorized user" means a physician, dentist or podiatrist ~~an individual~~ who is identified as being authorized to use radioactive material on a specific medical use license issued by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; a medical use permit issued by a U.S. Nuclear Regulatory Commission

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

master material licensee; a permit issued by a U.S. Nuclear Regulatory Commission, Agreement State or Licensing State broad scope medical use licensee; or a permit issued by a U.S. Nuclear Regulatory Commission master material license broad scope medical use permittee.

“Authorized medical physicist” means an individual who meets the requirements in Sections 335.9150(a) and 335.9180 of this Part; or is identified as an authorized medical physicist or teletherapy physicist on a specific medical use license issued by the U.S. Nuclear Regulatory Commission, an Agreement State or Licensing State; a medical use permit issued by a U.S. Nuclear Regulatory Commission master material licensee; a permit issued by a U.S. Nuclear Regulatory Commission, Agreement State or Licensing State broad scope medical use licensee; or a permit issued by a U.S. Nuclear Regulatory Commission master material license broad scope medical use permittee.

"Brachytherapy" means a method of radiation therapy in which sealed sources, including those contained in high dose rate afterloaders, are used to deliver a radiation dose at a distance of less than 6 centimeters by surface, intracavitary or interstitial application.

"Calculated weekly administered dose" means the portion of the calculated administered dose received by the patient in 7 consecutive days.

"Case" means the performance of a clinical procedure on a patient.

"Classroom and laboratory training" means planned instruction outlined in a syllabus and offered by an individual or organization. It is comprised of lectures, demonstrations, hands-on laboratory exercises and tests.

"Clinical procedure" means a method of using radioactive material for patient care in which the material or its radiation is administered to the patient. A specific clinical procedure specifies, either explicitly or in context, the indication for the procedure, the purpose (diagnosis or therapy), the radionuclide and its chemical and physical form, the dosage or dose and method of administration and patient follow-up. Diagnostic clinical procedures also include the method of collecting raw data, manipulating the data and interpreting the final results, which may be images, graphs or numbers.

"Dedicated check source" means a radioactive source, with a half-life greater than 5 years, that is used to assure the constant operation of a radiation detection or measurement device.

"Diagnostic clinical procedures manual" means a collection of written procedures that describes each method (and other instructions and precautions) by which the licensee

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

performs diagnostic clinical procedures. Each diagnostic clinical procedure included in this manual must be approved by the authorized user and must include the radiopharmaceutical, dosage and route of administration.

"High dose rate afterloader" means an automated device used for delivering a sealed source of high activity (typically of the magnitude of gigabecquerels or curies of activity for Ir-192) for brachytherapy.

"Licensed practitioner of the healing arts" means a person licensed under the Medical Practice Act of 1987 (~~Ill. Rev. Stat. 1991, ch. 111, par. 4400-1 et seq.~~) [225 ILCS 60], the Illinois Dental Practice Act (~~Ill. Rev. Stat. 1991, ch. 111, par. 2301 et seq.~~) [225 ILCS 25], or the Podiatric Medical Practice Act of 1987 (~~Ill. Rev. Stat. 1991, ch. 111, par. 4801 et seq.~~) [225 ILCS 100].

"Management" means the chief executive officer or that individual's designee.

"Medical institution" means:

An organization, other than a medical clinic, private medical practice or mobile nuclear medicine service, that holds a specific license issued by the Department and that practices more than two medical disciplines; or

A medical clinic, private practice or mobile nuclear medicine service that holds a specific license issued by the Department and is authorized under Sections 335.5010, 335.7010 or 335.8010 [of this Part](#) to use radioactive material.

"Medical use" means the intentional internal or external administration of radioactive material, or the radiation [from radioactive material to patients or human research subjects under the supervision of an authorized user](#) ~~therefrom, to humans in the practice of the healing arts.~~

"Output" means the exposure rate, dose rate or a quantity related in a known manner to these rates from a teletherapy unit for a specified set of exposure conditions.

~~"Personal participation in a complete case" means performing or observing all the steps required to perform a clinical procedure on a patient under the supervision of an authorized user. This means selection and preparation of the radiopharmaceutical, calculation, measurement and administration of the dosage or dose, operation of all the equipment used during the clinical procedure, collection and manipulation of the raw data, performing or observing the patient examination, case history review, determination of suitability for radionuclide diagnosis, interpretation of the results and follow up for the~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

~~case. For purposes of meeting training requirements, mere interpretation of the results does not constitute personal participation in a case.~~

~~"Personally performing a complete case" means performing all the steps required to perform a clinical procedure on a patient. This means selection and preparation of the radiopharmaceutical, calculation, measurement and administration of the dosage or dose, operation of all the equipment used during the clinical procedure, collection and manipulation of the raw data, performing or observing the patient examination, case history review, determination of suitability for radionuclide diagnosis, interpretation of the results and follow up for the case. For purposes of meeting training requirements, mere interpretation of the results does not constitute personal performance in a case.~~

"Prescribed dosage" means the radiopharmaceutical activity as documented:

in a written directive; or

either in the diagnostic clinical procedures manual for diagnostic procedures, or as otherwise directed by the authorized user for diagnostic procedures.

"Prescribed dose" means:

for gamma stereotactic radiosurgery, the total dose as documented in the written directive;

for teletherapy, the total dose and dose per fraction as documented in the written directive; or

for brachytherapy, either the total dose or the total source strength and exposure time, as documented in the written directive.

"Quarterly" means at intervals not to exceed 3 months.

"Recordable event" means the administration of:

radioactive material or radiation therefrom without a written directive by a procedure listed in the definition of the term "written directive";

radioactive material or radiation therefrom pursuant to a written directive without daily recording the administered radiation dose or radiopharmaceutical dosage;

a therapeutic radiopharmaceutical dosage, other than iodine-125 or iodine-131 as

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

sodium iodide, when the administered dosage differs from the prescribed dosage by more than ten percent of the prescribed dosage;

a radiopharmaceutical procedure involving greater than 1.11 Mbq (30 ~~mCi~~ ~~microCi~~) of iodine-125 or iodine-131 as sodium iodide, when both the administered dosage differs from the prescribed dosage by more than ten percent of the prescribed dosage, and the difference between the administered dosage and prescribed dosage exceeds 555 kBq (15 ~~mCi~~ ~~microCi~~);

a teletherapy radiation dose when the calculated weekly administered dose is 15 percent greater ~~than then~~ the weekly prescribed dose; or

a brachytherapy radiation dose when the calculated administered total dose differs from the prescribed dose by more than ten percent of the prescribed dose.

~~"Quarterly" means at intervals not to exceed 3 months.~~

"Reportable event" means the administration of:

a therapeutic radiopharmaceutical dosage other than iodine-125 or iodine-131 as sodium iodide:

involving the wrong patient, wrong radiopharmaceutical, ~~the wrong route of administration~~; or
when the administered dosage differs from the prescribed dosage by more than 20 percent of the prescribed dosage;

a radiopharmaceutical dosage in quantities greater than 1.11 MBq (30 ~~mCi~~ ~~microCi~~) of iodine-125 or iodine-131 as sodium iodide:

involving the wrong patient, wrong radiopharmaceutical, the wrong route of administration; or
when both the total administered dosage differs from the prescribed dosage by more than 20 percent of the prescribed dosage, and the difference between the administered dosage and prescribed dosage exceeds 1.11 MBq (30 ~~mCi~~ ~~microCi~~);

a gamma stereotactic radiosurgery radiation dose:

involving the wrong patient or wrong treatment site; or
when the calculated total administered dose differs from the total

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

prescribed dose by more than ten percent of the total prescribed dose;

a teletherapy radiation dose:

involving the wrong patient, wrong treatment modality, the wrong treatment site;

when the treatment consists of three or fewer fractions and the calculated total administered dose differs from the total prescribed dose by more than ten percent of the total prescribed dose;

when the calculated weekly administered dose is 30 percent greater than the weekly prescribed dose; or

the calculated total administered dose differs from the prescribed dose by more than 20 percent of the prescribed dose;

a brachytherapy radiation dose:

involving the wrong patient, wrong radioisotope or the wrong treatment site (excluding, for permanent implants, seeds that were implanted in the correct site but migrated outside the treatment site);

involving a sealed source that is leaking;

when, for a temporary implant, one or more sealed sources are not removed upon completion of the procedure; or

when the calculated total administered dose differs from the prescribed dose by more than 20 percent of the prescribed dose;

a diagnostic radiopharmaceutical dosage, other than iodine-125 or iodine-131 as sodium iodide in quantities greater than 1.11 MBq (30 ~~mCi~~ ~~microCi~~) both:

involving the wrong patient, the wrong pharmaceutical, the wrong route of administration or the wrong radiopharmaceutical dosage; and

when the dose to the patient exceeds 50 mSv (5 rem) effective dose equivalent or 500 mSv (50 rem) dose equivalent to any individual organ.

[“Structured educational program” means an educational program designed to impart](#)

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

particular knowledge and practical education through interrelated studies and supervised training.

~~"Supervised clinical experience" means performing specified tasks in the clinical setting during the work day. Supervised clinical experiences provide the student with the medical knowledge and facility necessary to assure that clinical procedures will be of benefit to the patient. It is provided in the clinic, as contrasted to the classroom, because that is the most efficient way to provide the instruction. However, continuing education courses, seminars, journal clubs and other methods of clinical instruction may comprise up to 20 percent of this training and experience.~~

~~"Supervised handling experience" means performing specified tasks with equipment in the clinical setting during the work day. It is required so that the student will develop facility in performing those tasks in the work setting, as contrasted to the classroom and laboratory setting. This is usually accomplished during the "supervised clinical experience" period.~~

"Teletherapy" means a method of radiation therapy in which the source of radiation is at a distance of 6 centimeters or more from the area being treated.

~~"Teletherapy physicist" means the individual identified as the teletherapy physicist on a radioactive material license.~~

~~"Visiting authorized user" means a temporary (i.e., less than 60 days each year) authorized user who is not identified on the license of the licensee being visited and who has been approved by the Radiation Safety Committee in accordance with Section 335.1060(b).~~

"Weekly prescribed dose" means the portion of the prescribed dose to be delivered in 7 consecutive days.

"Written directive" means an authorized user's written order for the administration of radioactive material or radiation from radioactive material to a specific patient or human research subject, as specified in Section 335.50 of this Part. ~~a written order for a specific patient, dated and signed by an authorized user prior to the administration of a radiopharmaceutical or radiation except as authorized under "all other brachytherapy" below, containing the following information:~~

~~therapeutic administration of a radiopharmaceutical other than iodine-125 or iodine-131 as sodium iodide; the radiopharmaceutical, dosage and route of administration;~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

~~any administration of iodine-125 or iodine-131 as sodium iodide involving quantities greater than 1.11 MBq (30 microCi): the dosage;~~

~~gamma stereotactic radiosurgery: target coordinates, collimator size, plug pattern and total dose;~~

~~teletherapy: the total dose, dose per fraction, treatment site and overall treatment period;~~

~~high dose rate remote afterloading brachytherapy: the radionuclide, treatment site and total dose; or~~

~~all other brachytherapy:~~

~~prior to implantation, the radionuclide, number of sources and source strengths; and~~

~~after implantation but prior to completion of the procedure, the radionuclide, treatment site, and total source strength and exposure time (or equivalently, the total dose).~~

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.50 Written Directives

- a) A written directive must be dated and signed by an authorized user before the administration of sodium iodide I-131 greater than 1.11 MBq (30 mCi), any therapeutic dosage of unsealed radioactive material or any therapeutic dose of radiation from radioactive material. If, because of the emergent nature of the patient's condition, a delay in order to provide a written directive would jeopardize the patient's health, an oral directive is acceptable. The information contained in the oral directive must be documented as soon as possible in writing in the patient's record. A written directive must be prepared within 48 hours after the oral directive.
- b) The written directive must contain the patient or human research subject's name and the following information:
- 1) For any administration of quantities greater than 1.11 MBq (30 mCi) of sodium iodide I-131, the dosage.

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 2) For an administration of a therapeutic dosage of unsealed radioactive material other than sodium iodide I-131, the radioactive drug, dosage and route of administration.
- 3) For gamma stereotactic radiosurgery, the total dose, treatment site, and values for the target coordinate settings per treatment for each anatomically distinct treatment site.
- 4) For teletherapy, the total dose, dose per fraction, number of fractions and treatment site.
- 5) For high dose-rate remote afterloading brachytherapy, the radionuclide, treatment site, dose per fraction, number of fractions and total dose.
- 6) For all other brachytherapy, including low, medium and pulsed dose-rate remote afterloaders:
 - A) Before implantation, treatment site, the radionuclide and dose; and
 - B) After implantation but before completion of the procedure, the radionuclide, treatment site, number of sources, and total source strength and exposure time (or the total dose).
- c) A written revision to an existing written directive may be made if the revision is dated and signed by an authorized user before the administration of the dosage of unsealed radioactive material, the brachytherapy dose, the gamma stereotactic radiosurgery dose, the teletherapy dose or the next fractional dose. If, because of the patient's condition, a delay in order to provide a written revision to an existing written directive would jeopardize the patient's health, an oral revision to an existing written directive is acceptable. The oral revision must be documented as soon as possible in the patient's record. A revised written directive must be signed by the authorized user within 48 hours after the oral revision.
- d) The licensee shall retain a copy of the written directive specified in subsection (a) of this Section for 5 years.

(Source: Added at 27 Ill. Reg. 10057, effective June 30, 2003).

SUBPART J: TRAINING AND EXPERIENCE REQUIREMENTS

Section 335.9010 Radiation Safety Officer

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

Except as provided in Section 335.9160 of this Part ~~335.9020~~, the licensee shall require an individual fulfilling the responsibilities of the Radiation Safety Officer as provided in Section 335.1020 of this Part to be an individual who shall:

- a) Is ~~Be~~ certified by a specialty board whose certification process includes all of the requirements in subsection (b) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or either:
 - 1) ~~American Board of Health Physics in Comprehensive Health Physics; or~~
 - 2) ~~American Board of Radiology in Radiological Physics, Therapeutic Radiological Physics or Medical Nuclear Physics; or~~
 - 3) ~~American Board of Nuclear Medicine; or~~
 - 4) ~~American Board of Science in Nuclear Medicine; or~~
 - 5) ~~Board of Pharmaceutical Specialties in Nuclear Pharmacy or Science; or~~
 - 6) ~~American Board of Medical Physics in Radiation Oncology Physics; or~~
 - 7) ~~Royal College of Physicians and Surgeons of Canada in Nuclear Medicine; or~~
- b) ~~Hold a master's degree or doctorate degree in physics, biophysics, radiological sciences, radiological physics or health physics and have 6 months of full time work experience under the supervision of a Radiation Safety Officer at a medical institution; or~~
- be) Has completed a structured educational program consisting of ~~Have had:~~

 - 1) 200 hours of didactic training in the following areas ~~classroom and laboratory training as follows:~~
 - A) Radiation physics and instrumentation;
 - B) Radiation protection;
 - C) Mathematics pertaining to the use and measurement of radioactivity;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- D) Radiation biology;
- E) Radiation dosimetry ~~Radiopharmaceutical chemistry~~; and
- 2) 1 year of full-time ~~experience in~~ radiation safety experience at a medical institution under the supervision of the individual identified as the Radiation Safety Officer on a Department, U.S. Nuclear Regulatory Commission, Agreement State or Licensing State license or permit issued by the U.S. Nuclear Regulatory Commission master material licensee that authorizes similar types and uses of radioactive material involving the following: ~~that authorizes the medical use of radioactive material; or~~
- A) Shipping, receiving and performing related radiation monitoring;
- B) Using and performing checks for proper operation of instruments used to determine the activity of dosages, instruments used to measure radionuclides and survey meters;
- C) Securing and controlling radioactive material;
- D) Using administrative controls to avoid mistakes in the administration of radioactive material;
- E) Using procedures to prevent or minimize radioactive contamination and using proper decontamination procedures;
- F) Using emergency procedures to control radioactive material;
- G) Disposing of radioactive material; and
- 3) Has obtained written certification, signed by a preceptor Radiation Safety Officer, that the individual has satisfactorily completed the requirements in subsections (b)(1) and (2) of this Section and has achieved a level of radiation safety knowledge sufficient to function independently as a Radiation Safety Officer for a medical use licensee; or
- cd) Is ~~Be~~ an authorized user, authorized medical physicist or authorized nuclear pharmacist identified on the licensee's license and has experience with the radiation safety aspects of similar types of use of radioactive material for which the individual has ~~for those radioactive material uses that come within the~~ Radiation Safety Officer ~~Officer's~~ responsibilities.

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9020 Training for Experienced Radiation Safety Officer (Repealed)

~~An individual identified as a Radiation Safety Officer on a Department, U.S. Nuclear Regulatory Commission, Agreement State or Licensing State license on July 15, 1991 who oversees only the use of radioactive material for which the licensee was authorized on that date need not comply with the training requirements of Section 335.9010.~~

(Source: Repealed at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9030 Training for Uptake, Dilution or Excretion Studies

Except as provided in Section 335.9160 of this Part ~~or 335.9170~~, a licensee shall require the authorized user of unsealed radioactive material for the uses authorized under a radiopharmaceutical specified in Section 335.3010 of this Part not requiring a written directive to be a physician who:

- a) Is certified ~~in:~~ by a medical specialty board whose certification process includes all of the requirements in subsection (c) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or
 - 1) ~~Nuclear medicine by the American Board of Nuclear Medicine; or~~
 - 2) ~~Nuclear medicine by the American Board of Osteopathic Nuclear Medicine; or~~
 - 3) ~~Diagnostic radiology by the American Board of Radiology; or~~
 - 4) ~~Diagnostic radiology or radiology by the American Osteopathic Board of Radiology; or~~
 - 5) ~~Nuclear medicine by the Royal College of Physicians and Surgeons of Canada; or~~
- b) Is an authorized user under Section 335.9040 or 335.9050 of this Part or equivalent U.S. Nuclear Regulatory Commission or Agreement State requirements; or
- c b) Has completed 60 ~~40~~ hours of training and experience ~~instruction~~ in basic

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

radionuclide handling techniques applicable to the medical use of unsealed radioactive material for uptake, dilution and excretion studies. The training and experience shall include, at a minimum: prepared radiopharmaceuticals and 20 hours of supervised clinical experience.

- 1) Classroom ~~To satisfy the basic instruction requirement, 40 hours of classroom~~ and laboratory training in the following areas ~~instruction shall include:~~
 - A) Radiation physics and instrumentation;
 - B) Radiation protection;
 - C) Mathematics pertaining to the use and measurement of radioactivity;
 - D) Chemistry of radioactive material for medical use; ~~Radiation biology; and~~
 - E) Radiation biology; and ~~Radiopharmaceutical chemistry.~~
- 2) Work experience, under the supervision of an authorized user who meets the requirements in this Section, or Section 335.9040 or 335.9050 of this Part, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements, involving ~~To satisfy the requirement for 20 hours of supervised clinical experience, training shall be under the supervision of an authorized user at a medical institution and shall include:~~
 - A) Ordering, receiving, and unpacking radioactive materials safely and performing the related radiation monitoring;
 - B) Calibrating instruments used to determine the activity of dosages and performing checks for proper operation of survey instruments;
 - C) Calculating, measuring and safely preparing patient or human research subject dosages;
 - D) Using administrative controls to prevent a reportable event involving the use of unsealed radioactive material;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- E) Using procedures to contain spilled radioactive material safely and using proper decontamination procedures;
- F) Administering dosages of radioactive drugs to patients or human research subjects; and
- ~~A) Examining patients and reviewing their case histories to determine their suitability for radionuclide diagnosis and to gain experience with the limitations and contraindications of the studies;~~
- ~~B) Selecting the suitable radiopharmaceuticals and calculating and measuring the dosages;~~
- ~~C) Administering dosages to patients and using syringe radiation shields;~~
- ~~D) Collaborating with the authorized user in the interpretation of radionuclide test results; and~~
- ~~E) Patient follow-up; or~~
- 3) Has obtained written certification, signed by a preceptor authorized user who meets the requirements in this Section, or Section 335.9040 or 335.9050 of this Part, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements, that the individual has satisfactorily completed the requirements in subsection (c) of this Section and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized under Section 335.3010 of this Part for those procedures not requiring a written directive.
- ~~e) Has successfully completed a 6-month training program in nuclear medicine as part of a training program that has been approved by the Accreditation Council for Graduate Medical Education and that included classroom and laboratory training, work experience and supervised clinical experience in all the topics identified in subsection (b) above.~~

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9040 Training for Imaging and Localization Studies

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

Except as provided in Section 335.9160 of this Part ~~or 335.9170~~, a licensee shall require the authorized user of unsealed radioactive material for the uses authorized under a radiopharmaceutical, generator or reagent kit specified in Section 335.4010 of this Part not requiring a written directive to be a physician who:

- a) Is certified ~~in:~~ by a medical specialty board whose certification process includes all of the requirements in subsection (c) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or
 - ~~1) Nuclear medicine by the American Board of Nuclear Medicine; or~~
 - ~~2) Nuclear medicine by the American Board of Osteopathic Nuclear Medicine; or~~
 - ~~3) Diagnostic radiology by the American Board of Radiology; or~~
 - ~~4) Diagnostic radiology or radiology by the American Osteopathic Board of Radiology; or~~
 - ~~5) Nuclear medicine by the Royal College of Physicians and Surgeons of Canada; or~~
- b) Is an authorized user under Section 335.9050 of this Part or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements; or
- ~~c~~ b) Has completed ~~700~~ 200 hours of training and experience ~~instruction~~ in basic radionuclide handling techniques applicable to the medical use of unsealed radioactive material for imaging and localization studies. The training and experience shall include, at a minimum: ~~prepared radiopharmaceuticals, generators and reagent kits, 500 hours of supervised work experience and 500 hours of supervised clinical experience.~~
 - 1) Classroom ~~To satisfy the basic instruction requirement, 200 hours of classroom~~ and laboratory training in the following areas shall include:
 - A) Radiation physics and instrumentation;
 - B) Radiation protection;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- C) Mathematics pertaining to the use and measurement of radioactivity;
 - D) Chemistry of radioactive material for medical use;
~~Radiopharmaceutical chemistry.; and~~
 - E) Radiation biology; and -
- 2) Work ~~To satisfy the requirement for 500 hours of supervised work~~ experience, ~~training shall be~~ under the supervision of an authorized user who meets the requirements in this Section or Section 335.9050 of this Part or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements, involving ~~at a medical institution and shall include:~~
- A) Ordering, receiving and unpacking radioactive materials safely and performing the related radiation monitoring;
 - B) Calibrating ~~dose calibrators and diagnostic~~ instruments used to determine the activity of dosages and performing checks for proper operation of survey instruments;
 - C) Calculating, measuring and safely preparing patient or human research subject dosages;
 - D) Using administrative controls to prevent a reportable event involving the use ~~misadministration~~ of unsealed radioactive material;
 - E) Using emergency procedures to contain spilled radioactive material safely and using proper decontamination procedures; ~~and~~
 - F) Administering dosages of radioactive drugs to patients or human research subjects;
 - GF) Eluting ~~technetium-99m from~~ generator systems appropriate for preparation of radioactive drugs for imaging and localization studies, measuring ~~assaying~~ and testing the eluate for radionuclidic purity ~~molybdenum-99 and alumina contamination~~ and processing the eluate with reagent kits to prepare ~~technetium-99m~~ labeled radioactive drugs; and radiopharmaceuticals.

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 3) Has obtained written certification, signed by a preceptor authorized user who meets the requirements in this Section or Section 335.9050 of this Part, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements, that the individual has satisfactorily completed the requirements in subsection (c) of this Section and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized under Section 335.4010 of this Part for those procedures not requiring a written directive. ~~To satisfy the requirement for 500 hours of supervised clinical experience, training shall be under the supervision of an authorized user at a medical institution and shall include:~~
- ~~A) Examining patients and reviewing their case histories to determine their suitability for radionuclide diagnosis and to gain experience with the limitations and contraindications of the studies;~~
 - ~~B) Selecting the suitable radiopharmaceuticals and calculating and measuring the dosages;~~
 - ~~C) Administering dosages to patients and using syringe radiation shields;~~
 - ~~D) Collaborating with the authorized user in the interpretation of radionuclide test results; and~~
 - ~~E) Patient follow up; or~~
- e) ~~Has successfully completed a 6-month training program in nuclear medicine that has been approved by the Accreditation Council for Graduate Medical Education and that included classroom and laboratory training, work experience and supervised clinical experience in all the topics identified in subsection (b) above.~~

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9050 Training for ~~Therapeutic~~ Use of Unsealed Radioactive Material for Which a Written Directive is Required ~~Radiopharmaceuticals~~

Except as provided in Sections 335.9060, 335.9070 and Section 335.9160 of this Part, a licensee shall require the authorized user of unsealed radioactive material for the uses authorized under a radiopharmaceutical specified in Section Sections 335.3010, 335.4010, or 335.5010 of this Part requiring a written directive ~~for therapy~~ to be a physician who:

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- a) Is certified ~~in~~ by a medical specialty board whose certification process includes all of the requirements in subsection (b) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or
- 1) ~~The American Board of Nuclear Medicine; or~~
 - 2) ~~The American Board of Radiology in radiology, therapeutic radiology or radiation oncology; or~~
- b) Has completed 700 ~~80~~ hours of training and experience instruction in basic radionuclide handling techniques applicable to the medical use of unsealed radioactive material requiring a written directive. ~~The training and experience shall include: therapeutic radiopharmaceuticals and has had supervised clinical experience.~~
- 1) Classroom ~~To satisfy the requirement for instruction, 80 hours of classroom~~ and laboratory training in the following areas shall include:
 - A) Radiation physics and instrumentation;
 - B) Radiation protection;
 - C) Mathematics pertaining to the use and measurement of radioactivity; ~~and~~
 - D) Chemistry of radioactive material for medical use;
 - ~~E~~) Radiation biology; and
 - 2) Work experience, ~~To satisfy the requirement for supervised clinical experience, training shall be~~ under the supervision of an authorized user who meets the requirements in this Section or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements. A supervising authorized user, who meets the requirements in Section 335.9050(b) of this Part, shall have experience in administering dosages in the same dosage category or categories (i.e., Section 335.9050(b)(2)(G)(i), (ii), (iii), or (iv) of this Part) as the individual requesting authorized user status. The work experience shall involve ~~at a medical institution and shall include:~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- A) Ordering, receiving and unpacking radioactive materials safely, and performing the related radiation monitoring;
 - B) Calibrating instruments used to determine the activity of dosages, and performing checks for proper operation of survey instruments;
 - C) Calculating, measuring and safely preparing patient or human research subject dosages;
 - D) Using administrative controls to prevent a reportable event involving the use of unsealed radioactive material;
 - E) Using procedures to contain spilled radioactive material safely and using proper decontamination procedures;
 - F) Eluting generator systems, measuring and testing the eluate for radionuclidic purity, and processing the eluate with reagent kits to prepare labeled radioactive drugs;
 - G) Administering dosages of radioactive drugs to patients or human research subjects involving a minimum of three cases in each of the following categories for which the individual is requesting authorized user status:
 - i) Oral administration of less than or equal to 1.22 GBq (33 mCi) of sodium iodide I-131;
 - ii) Oral administration of greater than 1.22 GBq (33 mCi) of sodium iodide I-131;

AGENCY NOTE: Experience with at least 3 cases in subsection (b)(2)(G)(ii) also satisfies the requirement in subsection (b)(2)(G)(i).
 - iii) Parenteral administration of any beta emitter or a photon-emitting radionuclide with a photon energy less than 150 keV; and/or
 - iv) Parenteral administration of any other radionuclide; and
- 3) Has obtained written certification that the individual has satisfactorily

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

completed the requirements in subsections (b)(1) and (2) of this Section and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized under Section 335.5010 of this Part. The written certification shall be signed by a preceptor authorized user who meets the requirements in this Section, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements. The preceptor authorized user who meets the requirements in Section 335.9050(b) of this Part must have experience in administering dosages in the same dosage category or categories (i.e., Section 335.9050(b)(2)(G)(i), (ii), (iii), or (iv) of this Part) as the individual requesting authorized user status.

- A) ~~Use of iodine-131 for diagnosis of thyroid function and the treatment of hyperthyroidism or cardiac dysfunction in ten individuals; and~~
- B) ~~Use of iodine-131 for treatment of thyroid carcinoma in three individuals.~~

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9060 Training for the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Less Than or Equal to 1.22 GBq (33 mCi) ~~Treatment of Hyperthyroidism~~

Except as provided in Section 335.9160 of this Part, the licensee shall require the authorized user for oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 GBq (33 mCi) ~~of only iodine-131 for the treatment of hyperthyroidism~~ to be a physician who ~~with experience in the diagnosis and treatment of thyroid disease, who has had classroom and laboratory training in basic radionuclide handling techniques applicable to the use of iodine-131 for treatment of hyperthyroidism and supervised clinical experience as follows:~~

- a) Is certified by a medical specialty board whose certification process includes all of the requirements in subsection (c) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or
- b) Is an authorized user under Section 335.9050 of this Part for uses listed in Section 335.9050(b)(2)(G)(i) or (ii), or Section 335.9070 of this Part, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements; or

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

c) Has:

- 1) Successfully completed 80 hours of classroom and laboratory training applicable to the medical use of sodium iodide I-131 for procedures requiring a written directive. The training shall include ~~that includes:~~
 - A4) Radiation physics and instrumentation;
 - B2) Radiation protection;
 - C3) Mathematics pertaining to the use and measurement of radioactivity;
 - D) Chemistry of radioactive material for medical use;
 - E4) Radiation biology; and
- 2b) Work ~~Supervised clinical~~ experience under the supervision of an authorized user who meets the requirements in subsection (a) or (b) of this Section, Section 335.9050 or 335.9070 of this Part or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements. A supervising authorized user who meets the requirements of Section 335.9050(b) of this Part shall have experience in administering dosages as specified in Section 335.9050(b)(2)(G)(i) or (ii) of this Part. The work experience shall involve: ~~that includes the use of iodine-131 for diagnosis of thyroid function and the treatment of hyperthyroidism in ten individuals.~~
 - A) Ordering, receiving and unpacking radioactive materials safely, and performing the related radiation monitoring;
 - B) Calibrating instruments used to determine the activity of dosages, and performing checks for proper operation of survey instruments;
 - C) Calculating, measuring and safely preparing patient or human research subject dosages;
 - D) Using administrative controls to prevent a reportable event involving the use of radioactive material;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- E) Using procedures to contain spilled radioactive material safely and using proper decontamination procedures;
 - F) Administering dosages to patients or human research subjects and shall include at least 3 cases involving the oral administration of less than or equal to 1.22 GBq (33 mCi) of sodium iodide I-131; and
- 3) Obtained written certification that the individual has satisfactorily completed the requirements in subsections (c)(1) and (2) of this Section and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized under Section 335.5010 of this Part. The written certification shall be signed by a preceptor authorized user who meets the requirements in this Section, or Section 335.9050 or 335.9070 of this Part or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements. A preceptor authorized user who meets the requirements in Section 335.9050(b) of this Part, must have experience in administering dosages as specified in Section 335.9050(b)(2)(G)(i) or (ii) of this Part.

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9070 Training for the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Greater Than 1.22 GBq (33 mCi) ~~Treatment of Thyroid Carcinoma~~

Except as provided in Section 335.9160 of this Part, the licensee shall require the authorized user for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 GBq (33 mCi) of only iodine-131 for the treatment of thyroid carcinoma to be a physician who with experience in the diagnosis and treatment of thyroid disease who has had classroom and laboratory training in basic radionuclide handling techniques applicable to the use of iodine-131 for treatment of thyroid carcinoma and supervised clinical experience as follows:

- a) Is certified by a medical specialty board whose certification process includes all of the requirements in subsection (c) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or
- b) Is an authorized user under Section 335.9050 of this Part for uses listed in Section 335.9050(b)(2)(G)(ii) of this Part, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements; or

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

ca) Has:

- 1) Successfully completed 80 hours of classroom and laboratory training applicable to the medical use of sodium iodide I-131 for procedures requiring a written directive. The training shall include ~~that includes:~~
 - A1) Radiation physics and instrumentation;
 - B2) Radiation protection;
 - C3) Mathematics pertaining to the use and measurement of radioactivity;
 - D) Chemistry of radioactive material for medical use;
 - E4) Radiation biology; and
- 2b) Work ~~Supervised clinical~~ experience under the supervision of an authorized user who meets the requirements in subsections (a) or (b) of this Section, Section 335.9050 of this Part or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements. A supervising authorized user who meets the requirements of Section 335.9050(b) of this Part shall have experience in administering dosages as specified in Section 335.9050(b)(2)(G)(ii) of this Part. The work experience shall involve: ~~that includes the use of iodine-131 for the treatment of thyroid carcinoma in three individuals.~~
 - A) Ordering, receiving and unpacking radioactive materials safely, and performing the related radiation monitoring;
 - B) Calibrating instruments used to determine the activity of dosages, and performing checks for proper operation of survey instruments;
 - C) Calculating, measuring and safely preparing patient or human research subject dosages;
 - D) Using administrative controls to prevent a reportable event involving the use of radioactive material;
 - E) Using procedures to contain spilled radioactive material safely and using proper decontamination procedures;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- F) Administering dosages to patients or human research subjects and shall include at least 3 cases involving the oral administration of greater than 1.22 GBq (33 mCi) of sodium iodide I-131; and
- 3) Obtained written certification that the individual has satisfactorily completed the requirements in subsections (c)(1) and (2) of this Section and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized under Section 335.5010 of this Part. The written certification shall be signed by a preceptor authorized user who meets the requirements in this Section or Section 335.9050 of this Part, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements. A preceptor authorized user who meets the requirements in Section 335.9050(b) of this Part must have experience in administering dosages as specified in Section 335.9050(b)(2)(G)(ii) of this Part.

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9080 Training for Therapeutic Use of Soluble Phosphorus-32 (Repealed)

~~Except as provided in Section 335.9160, the licensee shall require the authorized user of only soluble phosphorus-32 for therapy to be a physician who has had classroom and laboratory training in basic radionuclide handling techniques applicable to the use of soluble phosphorus-32 for therapy and supervised clinical experience as follows:~~

- a) ~~80 hours of classroom and laboratory training that includes:~~
- ~~1) Radiation physics and instrumentation;~~
 - ~~2) Radiation protection;~~
 - ~~3) Mathematics pertaining to the use and measurement of radioactivity;~~
 - ~~4) Radiation biology; and~~
- b) ~~Use of soluble phosphorus-32 for therapy, such as the treatment of ascites, polycythemia vera, leukemia or bone metastasis, in three individuals.~~

(Source: Repealed at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9090 Training for Therapeutic Use of Colloidal Chromic Phosphorus-32 Labeled

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

Phosphate Compound or Gold-198 ([Repealed](#))

~~Except as provided in Section 335.9160, the licensee shall require the authorized user of only colloidal chromic phosphorus-32 labeled phosphate compound or of colloidal gold-198 for therapy to be a physician who has had classroom and laboratory training in basic radionuclide handling techniques applicable to the use of colloidal chromic phosphorus-32 labeled phosphate compound or of colloidal gold-198 for therapy and supervised clinical experience as follows:~~

- a) ~~80 hours of classroom and laboratory training that includes:~~
 - 1) ~~Radiation physics and instrumentation;~~
 - 2) ~~Radiation protection;~~
 - 3) ~~Mathematics pertaining to the use and measurement of radioactivity;~~
 - 4) ~~Radiation biology; and~~
- b) ~~Use of colloidal chromic phosphorus-32 labeled phosphate compound or of colloidal gold-198 for therapy, such as intracavitary treatment of malignant effusions, in three individuals.~~

(Source: Repealed at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9100 Training for Use of [Manual Brachytherapy](#) Sources ~~for Brachytherapy~~

Except as provided in Section 335.9160 [of this Part](#), the licensee shall require the authorized user [of a manual performing](#) brachytherapy [source](#) in accordance with Section 335.7010 [of this Part](#) to be a physician who:

- a) Is certified by ~~in~~ a medical specialty board whose certification process includes all of the requirements in subsection (b) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or:
 - 1) ~~Radiology, therapeutic radiology or radiation oncology by the American Board of Radiology; or~~
 - 2) ~~Radiation oncology by the American Osteopathic Board of Radiology; or~~
 - 3) ~~Radiology, with a specialization in radiation therapy, as a British "Fellow of the Faculty of Radiology" or "Fellow of the Royal College of~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

~~Radiology"; or~~

~~4) Therapeutic radiology by the Canadian Royal College of Physicians and Surgeons; or~~

b) ~~Has~~ Is in the practice of therapeutic radiology, has:

1) Completed a structured educational program ~~completed 200 hours of instruction~~ in basic radionuclide handling techniques applicable to the ~~therapeutic~~ use of manual brachytherapy sources that includes: ~~and 500 hours of supervised work experience and a minimum of 3 years of supervised clinical experience.~~

A1) ~~To satisfy the requirement for instruction,~~ 200 hours of classroom and laboratory training in the following areas ~~shall include:~~

iA) Radiation physics and instrumentation;

iiB) Radiation protection;

iiiC) Mathematics pertaining to the use and measurement of radioactivity; ~~and~~

ivD) Radiation biology; ~~and.~~

B2) ~~To satisfy the requirement for~~ 500 hours of ~~supervised~~ work experience, ~~training shall be~~ under the supervision of an authorized user who meets the requirements in this Section or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements at a medical ~~an~~ institution involving ~~and shall include:~~

iA) Ordering, receiving and unpacking radioactive materials safely and performing the related radiation monitoring;

iiB) ~~Checking~~ Performing checks for proper operations of survey instruments for proper operation;

iiiC) Preparing, implanting and removing brachytherapy ~~sealed~~ sources;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- ~~iv~~D) Maintaining running inventories ~~and accountability~~ of ~~radioactive~~ material on hand; ~~possessed~~;
 - v) Using administrative controls to prevent the misadministration of radioactive material;
 - vi) Using emergency procedures to control radioactive material;
 - ~~E) Using administrative controls to prevent the misadministration of radioactive material; and~~
 - ~~F) Using emergency procedures to control radioactive material.~~
- 23) Completed 3 years ~~To satisfy the requirement for a period~~ of supervised clinical experience in radiation oncology under an authorized user who meets the requirements in this Section or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements as a part of a formal, ~~training shall include 1 year in a~~ training program approved by the Residency Review Committee for Radiation Oncology Radiology of the Accreditation Council for Graduate Medical Education, or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required by subsection (b)(2) of this Section; and ~~an additional 2 years of clinical experience in therapeutic radiology under the supervision of an authorized user at a medical institution. The supervised clinical experience shall include:~~
- ~~A) Examining individuals and reviewing their case histories to determine their suitability for brachytherapy treatment and to gain experience with the limitations and contraindications of brachytherapy;~~
 - ~~B) Selecting the proper brachytherapy sources, dose and method of administration;~~
 - ~~C) Calculating the dose; and~~
 - ~~D) Post administration follow up and review of case histories in collaboration with an authorized user.~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 3) Obtained written certification, signed by a preceptor authorized user who meets the requirements in this Section or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements, that the individual has satisfactorily completed the requirements in subsections (b)(1), (2) and (3) of this Section and has achieved a level of competency sufficient to function independently as an authorized user of manual brachytherapy sources for the medical uses authorized under Section 335.7010 of this Part.

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9120 Training for Ophthalmic Use of Strontium-90

Except as provided in Section 335.9160 of this Part, the licensee shall require the authorized user using only strontium-90 for ophthalmic radiation therapy to be a physician who:

- a) Is an authorized user under Section 335.9100 of this Part or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements ~~Is certified in radiology or therapeutic radiology by the American Board of Radiology~~; or
- b) Has:
- 1) ~~Completed~~ Is in the practice of therapeutic radiology or ophthalmology, and has completed 24 hours of classroom and laboratory training instruction in basic radionuclide handling techniques applicable to the use of strontium-90 for ophthalmic radiation therapy ~~and supervised clinical training in ophthalmic radiation therapy.~~
- 1) ~~The~~ To satisfy the requirement for instruction, the classroom and laboratory training shall include:
- A) Radiation physics and instrumentation;
- B) Radiation protection;
- C) Mathematics pertaining to the use and measurement of radioactivity; ~~and~~
- D) Radiation biology; ~~and~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 2) ~~To satisfy the requirement for supervised~~ Completed clinical training in ophthalmic radiation therapy, ~~training shall be~~ under the supervision of an authorized user at a medical institution ~~that includes and shall include~~ the use of strontium-90 for the ophthalmic treatment of ~~5 patients~~ five individuals. ~~The supervised clinical training must include that includes:~~
- A) Examination of each patient individual to be treated;
 - B) Calculation of the dose to be administered;
 - C) Administration of the dose; ~~and~~
 - D) Follow-up and review of each patient's individual's case history; ~~and~~
- 3) Obtained written certification, signed by a preceptor authorized user who meets the requirements in this Section, Section 335.9100 of this Part, or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements, that the individual has satisfactorily completed the requirements in subsections (b)(1) and (2) of this Section and has achieved a level of competency sufficient to function independently as an authorized user of strontium-90 for ophthalmic use.

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9130 Training for Use of Sealed Sources for Diagnosis

Except as provided in Section 335.9160 of this Part, the licensee shall require the authorized user ~~of using~~ a sealed source for diagnostic use in a device authorized specified in Section 335.6010 of this Part to be a physician, dentist or podiatrist who:

- a) Is certified by a specialty board whose certification process includes all of the requirements in subsection (b) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or ~~in:~~
 - 1) ~~Radiology, diagnostic radiology, therapeutic radiology or radiation oncology by the American Board of Radiology; or~~
 - 2) ~~Nuclear medicine by the American Board of Nuclear Medicine; or~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 3) ~~Diagnostic radiology or radiology by the American Osteopathic Board of Radiology; or~~
 - 4) ~~Nuclear medicine by the Royal College of Physicians and Surgeons of Canada; or~~
- b) Has completed 8 hours of classroom and laboratory training ~~instruction~~ in basic radionuclide handling techniques specifically applicable to the use of the device. The ~~To satisfy the requirement for instruction, the~~ training shall include:
- 1) Radiation physics, ~~mathematics pertaining to the use and measurement of radioactivity~~ and instrumentation;
 - 2) Radiation protection;
 - 3) Mathematics pertaining to the use and measurement of radioactivity;
 - 4) Radiation biology; and
 - 5) Training ~~Radiation protection and training~~ in the use of the device for the uses requested ~~purposes authorized by the license.~~

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9140 Training for Use of Remote Afterloader Units, Teletherapy Units and Gamma Stereotactic Radiosurgery Units

Except as provided in Section 335.9160 of this Part, the licensee shall require the authorized user of a sealed source for a use authorized under ~~specified in~~ Section 335.7010 of this Part for remote afterloader brachytherapy or Section 335.8010 of this Part ~~in a teletherapy unit~~ to be a physician who:

- a) Is certified by a medical specialty board whose certification process includes all of the requirements in subsection (b) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or ~~in:~~
 - 1) ~~Radiology, therapeutic radiology or radiation oncology by the American Board of Radiology; or~~
 - 2) ~~Radiation oncology by the American Osteopathic Board of Radiology; or~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 3) ~~Radiology, with specialization in radiation therapy, as a British "Fellow of the Faculty of Radiology" or "Fellow of the Royal College of Radiology"; or~~
 - 4) ~~Therapeutic radiology by the Canadian Royal College of Physicians and Surgeons; or~~
- b) Has:
- 1) Completed a structured educational program ~~Is in the practice of therapeutic radiology and has completed 200 hours of instruction~~ in basic radionuclide techniques applicable to the use of a sealed source in a therapeutic medical teletherapy unit that includes: ~~, 500 hours of supervised work experience and a minimum of 3 years of supervised clinical experience.~~
 - A1) 200 hours of ~~To satisfy the requirement for instruction, the~~ classroom and laboratory training in the following areas shall include:
 - iA) Radiation physics and instrumentation;
 - iiB) Radiation protection;
 - iiiC) Mathematics pertaining to the use and measurement of radioactivity; ~~and~~
 - ivD) Radiation biology; ~~and.~~
 - B2) 500 hours of ~~To satisfy the requirement for supervised~~ work experience, ~~training shall be~~ under the supervision of an authorized user who meets the requirements in this Part or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements at a medical an institution that involves and shall include:
 - iA) Reviewing ~~Review of the~~ full calibration measurements and periodic spot-checks;
 - iiB) Preparing treatment plans and calculating treatment doses and times;

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- ~~iii~~C) Using administrative controls to prevent a reportable event involving the use of radioactive material ~~misadministrations~~;
 - ~~iv~~D) Implementing emergency procedures to be followed in the event of the abnormal operation of the medical a teletherapy unit or console; ~~and~~
 - ~~v~~E) Checking and using ~~Performing checks for proper operation of~~ survey instruments; ~~;~~
 - vi) Selecting the proper dose and how it is to be administered; ~~and~~
- 23) Completed 3 years of ~~To satisfy the requirement for a period of~~ supervised clinical experience in radiation oncology under an authorized user who meets the requirements of this Section or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements as a part of a formal, training shall include 1 year in a training program approved by the Residency Review Committee for Radiation Oncology Radiology of the Accreditation Council for Graduate Medical Education or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required by subsection (b)(1) of this Section; ~~and an additional 2 years of clinical experience in therapeutic radiology under the supervision of an authorized user at a medical institution. The supervised clinical experience shall include:~~
- ~~A) Examining individuals and reviewing their case histories to determine their suitability for teletherapy treatment and to gain experience with the limitations and contraindications of teletherapy;~~
 - ~~B) Selecting the proper dose and how it is to be administered;~~
 - ~~C) Calculating the teletherapy doses and collaborating with the authorized user in the review of patients' progress and consideration of the need to modify originally prescribed doses as warranted by patients' reaction to radiation; and~~
 - ~~D) Post-administration follow-up and review of case histories.~~

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 3) Obtained written certification that the individual has satisfactorily completed the requirements in subsections (b)(1) and (2) of this Section and has achieved a level of competency sufficient to function independently as an authorized user for each type of therapeutic medical unit for which the individual is requesting authorized user status. The written certification shall be signed by a preceptor authorized user who meets the requirements in this Section or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements for each type of therapeutic medical unit for which the individual is requesting authorized user status.

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9150 Training for Authorized Medical Teletherapy Physicist

Except as provided in Section 335.9160 of this Part, the ~~The~~ licensee shall require the authorized medical teletherapy physicist to be an individual who:

- a) Is ~~Be~~ certified by a specialty board whose certification process includes all of the training and experience requirements in subsection (b) of this Section and whose certification has been recognized by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State; or ~~the American Board of Radiology in:~~
 - 1) ~~Therapeutic radiological physics; or~~
 - 2) ~~Roentgen ray and gamma ray physics; or~~
 - 3) ~~X-ray and radium physics; or~~
 - 4) ~~Radiological physics; or~~
- b) ~~Be certified by the American Board of Medical Physics in radiation oncology physics; or~~
- b e) Holds ~~Hold~~ a master's degree or doctorate in physics, biophysics, radiological physics, medical physics or health physics; and
 - 1) Has ~~have~~ completed 1 year of full-time training in therapeutic radiological physics and an additional ~~also~~ ~~+~~ year of full-time work experience under the supervision of an individual who meets the requirements for an

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

authorized medical physicist ~~a teletherapy physicist~~ at a medical institution that includes the tasks listed in Subparts H and I of this Part as applicable; and. ~~To meet this requirement, the individual shall have performed the tasks specified in Sections 335.2070, 335.9020, 335.9030 and 335.9040 under the supervision of a teletherapy physicist during the year of work experience.~~

- 2) Has obtained written certification that the individual has satisfactorily completed the requirements in subsection (b)(1) of this Section and has achieved a level of competency sufficient to function independently as an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status. The written certification must be signed by a preceptor authorized medical physicist who meets the requirements of this Section or equivalent U.S. Nuclear Regulatory Commission, Agreement State or Licensing State requirements for an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status.

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9160 Training for Experienced Radiation Safety Officer, Authorized Medical Physicist or Authorized Users

- a) An individual identified as a Radiation Safety Officer, or an authorized medical physicist on a Department, U.S. Nuclear Regulatory Commission, Agreement State or a Licensing State license or a permit issued by a Department, U.S. Nuclear Regulatory Commission, Agreement State or Licensing State broad scope licensee or master material license permit or by a master material license permittee of broad scope on or before October 24, 2004, need not comply with the training requirements of Sections 335.9010 and 335.9150 of this Part.
- b) Physicians, dentists or podiatrists, identified as authorized users for the medical use of radioactive material on a license issued by the Department, U.S. Nuclear Regulatory Commission, Agreement State or Licensing State, a permit issued by a U.S. Nuclear Regulatory Commission master material licensee, a permit issued by a Department, U.S. Nuclear Regulatory Commission, Agreement State or Licensing State broad scope licensee, or a permit issued by a U.S. Nuclear Regulatory Commission master material license broad scope permittee on or before October 24, 2004, who perform only those medical uses for which they

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

were authorized on that date need not comply with the training requirements of Subpart J of this Part.

~~Practitioners of the healing arts identified as authorized users for the human use of radioactive material on a Department, U.S. Nuclear Regulatory Commission, Agreement State or Licensing State license on July 15, 1991, and who perform only those methods of use for which they were authorized on that date, need not comply with the training requirements of Sections 335.9010 through 335.9180.~~

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9170 Physician Training in a 3-Month Program (Repealed)

~~A physician who, before July 1, 1984, began a 3-month nuclear medicine training program approved by the Accreditation Council for Graduate Medical Education and who has successfully completed the program is exempted from the requirements of Sections 335.9030 or 335.9040.~~

(Source: Repealed at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9180 Recentness of Training

The training and experience specified in Subpart J of this Part ~~Sections 335.9010 through 335.9150~~ shall have been obtained within the 7 ~~5~~ years preceding the date of application or the individual shall have had related continuing education and experience ~~in the items listed in the applicable section~~ since the required training and experience was completed.

~~AGENCY NOTE: Individuals specifically listed on an active Department, U.S. Nuclear Regulatory Commission, Agreement State or Licensing State license as an authorized user, Radiation Safety Officer or teletherapy physicist are considered to have met the recentness of training requirements for only those procedures for which they were authorized.~~

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

Section 335.9190 Resolution of Conflicting Requirements During Transition Period

- a) If the rules in this Part conflict with the licensee's radiation safety program as identified in its license, this Part shall apply, unless the statements, representations, conditions and procedures in the license are more restrictive. However, if that licensee exercises its privilege to amend its license, the portion

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

amended must comply with the requirements of this Part.

- b) Until October 24, 2004, the Department will approve authorized users, Radiation Safety Officers and teletherapy physicists who have Certifications from the applicable Boards specified in Appendix A of this Part. The Department has the right to limit their authorizations to those uses specified in Appendix A of this Part.

(Source: Amended at 27 Ill. Reg. 10057, effective June 30, 2003).

APPENDIX A List of Specialty Board Certifications Recognized by the Department Until October 24, 2004

Until October 24, 2004, the Department will recognize Board Certification by the specialty boards for the uses of radioactive material as specified in this Appendix A. The Department will also accept boards recognized by the U.S Nuclear Regulatory Commission and listed on its website.

Section 335.9010 Training for Radiation Safety Officer

American Board of Health Physics in Comprehensive Health Physics

American Board of Radiology in Radiological Physics, Therapeutic Radiological Physics or Medical Nuclear Physics

American Board of Nuclear Medicine

American Board of Science in Nuclear Medicine

Board of Pharmaceutical Specialties in Nuclear Pharmacy or Science

American Board of Medical Physics in Radiation Oncology Physics

Royal College of Physicians and Surgeons of Canada in Nuclear Medicine

Section 335.9030 Training for Uptake, Dilution or Excretion Studies

Nuclear medicine by the American Board of Nuclear Medicine

Nuclear medicine by the American Board of Osteopathic Nuclear Medicine

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

Diagnostic radiology by the American Board of Radiology

Diagnostic radiology or radiology by the American Osteopathic Board of Radiology

Nuclear medicine by the Royal College of Physicians and Surgeons of Canada

Section 335.9040 Training for Imaging and Localization Studies

Nuclear medicine by the American Board of Nuclear Medicine

Nuclear medicine by the American Board of Osteopathic Nuclear Medicine

Diagnostic radiology by the American Board of Radiology

Diagnostic radiology or radiology by the American Osteopathic Board of Radiology

Nuclear medicine by the Royal College of Physicians and Surgeons of Canada

Section 335.9050 Training for Therapeutic Use of Unsealed Radioactive Material for Which a Written Directive is Required

The American Board of Nuclear Medicine

The American Board of Radiology in radiology, therapeutic radiology or radiation oncology

Section 335.9100 Training for Use of Sources for Brachytherapy

Radiology, therapeutic radiology or radiation oncology by the American Board of Radiology

Radiation oncology by the American Osteopathic Board of Radiology

Radiology, with a specialization in radiation therapy, as a British "Fellow of the Faculty of Radiology" or "Fellow of the Royal College of Radiology"

ILLINOIS DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

Therapeutic radiology by the Canadian Royal College of Physicians and Surgeons

Training for Ophthalmic Use of Strontium-90

Radiology or therapeutic radiology by the American Board of Radiology

Section 335.9130 Training for Use of Sealed Sources for Diagnosis

Radiology, diagnostic radiology, therapeutic radiology or radiation oncology by the American Board of Radiology

Nuclear medicine by the American Board of Nuclear Medicine

Diagnostic radiology or radiology by the American Osteopathic Board of Radiology

Nuclear medicine by the Royal College of Physicians and Surgeons of Canada

Section 335.9140 Training for Teletherapy

Radiology, therapeutic radiology or radiation oncology by the American Board of Radiology

Radiation oncology by the American Osteopathic Board of Radiology

Radiology, with specialization in radiation therapy, as a British "Fellow of the Faculty of Radiology" or "Fellow of the Royal College of Radiology"

Therapeutic radiology by the Canadian Royal College of Physicians and Surgeons

Section 335.9150 Training for Authorized Medical Physicist

American Board of Radiology in therapeutic radiological physics; roentgen ray and gamma ray physics; X-ray and radium physics; or radiological physics

American Board of Medical Physics in radiation oncology physics

(Source: Added at 27 Ill. Reg. 10057, effective June 30, 2003).

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Acupuncture Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1140
- 3) Section Numbers: Adopted Action:
 1140.20 Amendment
 1140.60 Amendment
 1140.80 New Section
 1140.90 New Section
- 4) Statutory Authority: Acupuncture Practice Act [225 ILCS 2].
- 5) Effective Date of Amendments: June 20, 2003
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal Published in Illinois Register: February 14, 2003, at 27 Ill. Reg. 2585.
- 10) Has JCAR issued a Statement of Objections to these Rules? Yes
 - A) Statement of Objection: May 30, 2003, 27 Ill. Reg. 8894
 - B) Agency Response: July 7, 2003, 27 Ill. Reg. 10116
 - C) Date Agency Response Submitted for Approval to JCAR: June 19, 2003
- 11) Difference(s) between proposal and final version: No substantive differences; various technical changes have been made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: This rulemaking adds Sections 1140.80 to

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

provide for restoration of an acupuncturist license and 1140.90 to implement the continuing education requirement, as provided for in Section 70 of the Act.

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

Department of Professional Regulation
Attention: Barb Smith
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0813 Fax: 217/782-7645

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

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1140
ACUPUNCTURE PRACTICE ACT

Section	
1140.10	Definitions
1140.20	Fees
1140.30	Application for Licensure
1140.35	Application for Guest Instructor Permit
1140.40	Acupuncture Curriculum
1140.50	Endorsement
1140.60	Renewals
1140.70	Inactive Status
1140.80	Restoration
1140.90	Continuing Education
1140.100	Unprofessional Conduct
1140.110	Granting Variances

AUTHORITY: Implementing the Acupuncture Practice Act [225 ILCS 2] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 23 Ill. Reg. 5705, effective April 30, 1999; amended at 25 Ill. Reg. 10893, effective August 13, 2001; amended at 26 Ill. Reg. 11938, effective July 18, 2002; amended at 27 Ill. Reg. 10103, effective June 20, 2003.

Section 1140.20 Fees

The following fees shall be paid to the Department and are not refundable:

- a) Application Fees.
 - 1) The fee for application for a license as an acupuncturist is \$500.
 - 2) The fee for [application for](#) a guest instructor permit is \$150.
 - [3\) The fee for application as a continuing education sponsor is \\$250.](#)
- b) Renewal Fees.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 1) The fee for the renewal of [an acupuncturist](#) a-license shall be calculated at the rate of \$250 per year.
 - 2) [The fee for the renewal of continuing education sponsor approval is \\$250 for a 2 year license.](#)
- c) General Fees.
- 1) The fee for the restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees, not to exceed \$1,000.
 - 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license, for a license that has been lost or destroyed or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Department records when no duplicate license is issued.
 - 3) The fee for the certification of a license for any purpose is \$20.
 - 4) The fee for a wall certificate showing licensure shall be the actual cost of producing such certificate.
 - 5) The fee for a roster of persons licensed as acupuncturists in this State shall be the actual cost of producing such a roster.

(Source: Amended at 27 Ill. Reg. 10103, effective June 20, 2003)

Section 1140.60 Renewals

- a) ~~Every~~ ~~The first renewal period for licensure under the Act shall be June 30, 2001.~~ ~~Thereafter, every~~ license issued under the Act shall expire on June 30 of odd numbered years. The holder of a license may renew such license during the month preceding the expiration date by paying the required fee. [Beginning with the June 30, 2005 and every renewal thereafter, a renewal applicant will be required to complete 30 hours of continuing education in accordance with Section 1140.90 in order to renew the license. For the June 30, 2005 renewal only, a renewal applicant shall submit proof of successful completion of the Clean Needle Technique \(CNT\) Course offered by the Council of Colleges of Acupuncture and Oriental Medicine.](#)
- b) It is the responsibility of each licensee to notify the Department of any change of

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.

- c) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 110 of the Act.

(Source: Amended at 27 Ill. Reg. 10103, effective June 20, 2003).

Section 1140.80 Restoration

- a) Any acupuncturist whose license has expired or has been placed on inactive status for 5 years or less may have the license restored by paying the fees required by Section 1140.20 of this Part and proof of completion of 30 continuing education (CE) hours during the 2 years prior to submitting the restoration application in accordance with Section 1140.90 of this Part. Acceptable proof of completion shall be in the form of certificates of attendance provided by sponsors of approved continuing education programs.
- b) Any person seeking restoration of a license that has been expired or placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department, for review by the Board, together with the fee required by Section 1140.20 of this Part. In addition the applicant shall submit:
- 1) One of the following:
- A) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from an appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice; or
- B) An affidavit attesting to military service as provided in Section 70 of the Act; or
- C) Proof of passage of the National Commission for the Certification of Acupuncturists (NCCA) or National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) examination or another examination that has been approved by the Department within 2 years prior to the restoration application; or
- D) Evidence of recent attendance at educational programs in

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

acupuncture, including attendance at college level courses, professionally oriented continuing education classes, special seminars, or any other similar program. The Department will accept, for example:

- i) for an applicant whose license has lapsed 5 to 10 years, 160 contact hours of clinical training under the supervision of a licensed acupuncturist or 90 hours of continuing education relating to the clinical aspects of acupuncture, or a combination thereof, approved by the Board within 2 years prior to the restoration application. Clinical training shall be approved by the Board prior to an applicant starting the training.
 - ii) for an applicant whose license has lapsed for 10 years or more, 320 contact hours of clinical training under the supervision of an acupuncturist or 120 hours of continuing education relating to the clinical aspects of acupuncture, or any combination thereof approved by the Board within 2 years prior to the restoration application. Clinical training shall be approved by the Board prior to an applicant starting the training.
- 2) Proof of successful completion of the Clean Needle Technique (CNT) Course offered by the Council of Colleges of Acupuncture and Oriental Medicine within the last 5 years.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the licensee seeking restoration shall be requested to:
 - 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
 - d) Upon recommendation of the Board and approval by the Director, an applicant shall have the license restored or be notified in writing of the reason for denying the application.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

(Source: Added at 27 Ill. Reg. 10103, effective June 20, 2003).

Section 1140.90 Continuing Educationa) Continuing Education Hours Requirements

- 1) Beginning with the June 30, 2005 renewal, every licensee who applies for renewal of a license as an acupuncturist shall complete 30 hours of continuing education (CE) relevant to the practice of acupuncture.
- 2) A prerenewal period is the 24 months preceding June 30 of each odd-numbered year.
- 3) One CE hour shall equal one clock hour.
- 4) Courses that are part of the curriculum of a university, college or other educational institution shall be allotted CE credit at the rate of 15 CE hours for each semester hour or 10 CE hours for each quarter hour of school credit awarded.
- 5) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.
- 6) Acupuncturists licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
- 7) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois if they meet the requirements for CE in Illinois.

b) Approved Continuing Education (CE)

- 1) 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 continuing education sponsor who meets the requirements set forth in subsection (c), except for those activities provided in subsections (b)(2), (3), (4) and (5).
- 2) A maximum of 5 hours of CE credit per renewal may be earned for completion of a self-study course that is offered by an approved sponsor who meets the requirements set forth in subsection (c). Each self-study

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

course shall include an examination.

- 3) A maximum of 5 hours of CE credit per renewal may be earned through postgraduate training programs (e.g., extern, residency or fellowship programs) or completion of acupuncture related courses that are a part of the curriculum of an approved acupuncture program or a college, university or graduate school.
- 4) A maximum of 5 hours of CE credit per renewal may be earned for verified teaching in a college, university or school of acupuncture approved in accordance with Section 1140.40 and/or as an instructor of continuing education programs given by approved sponsors. Credit will be applied at the rate of 1.5 hours for every hour taught and only for the first presentation of the program (i.e., credit shall not be allowed for repetitious presentations of the same program).
- 5) A maximum of 5 hours of CE credit per renewal may be earned for authoring papers, publications or books and for preparing presentations and exhibits. The preparation of each published paper, book, chapter or presentation dealing with acupuncture may be claimed as 5 hours of credit. A presentation must be before a professional audience. Five credit hours may be claimed for only the first time the information is published or presented.

c) Approved CE Sponsors and Programs

- 1) Approved sponsor, as used in this Section, shall mean:
 - A) The Association of Acupuncture and Oriental Medicine, or its affiliates;
 - B) Asian American Acupuncture Association, or its affiliates;
 - C) Illinois State Acupuncture Association, or its affiliates;
 - D) Korean American Acupuncture Association of Illinois, or its affiliates;
 - E) Chicago Korean American Acupuncture Association, or its affiliates; or

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- F) Any other person, firm, association, corporation, or group that has been approved and authorized by the Department pursuant to subsection (c)(2) of this Section upon the recommendation of the Board to coordinate and present continuing education courses or programs.
- 2) Entities seeking a license as a CE sponsor pursuant to subsection (c)(1)(F) shall file a sponsor application, along with the required fee of \$250. (State agencies, State colleges and State universities in Illinois 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 (c)(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 (c)(9);
- C) That, upon request by the Department, 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 Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance.
- 3) All programs shall:
- A) Contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the licensee in the practice of acupuncture that includes direct and indirect patient care, acupuncture treatment, treatment techniques, point location and channel theory, and ethics;
- B) Foster the enhancement of general or specialized acupuncture practice and values;
- C) Be developed and presented by persons with education and/or experience in the subject matter of the program;

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 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) Each CE program shall provide a mechanism for evaluation of the program by the participants.
 - 5) An approved sponsor may subcontract with individuals and organizations to provide approved programs.
 - 6) All programs given by approved sponsors shall be open to all licensed acupuncturists and not be limited to members of a single organization or group.
 - 7) To maintain approval as a licensed sponsor, each sponsor shall submit to the Department by each odd-numbered year a renewal application, the renewal fee specified in Section 1140.20 of this Part 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.
 - 8) It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:
 - A) The name, address and license number of the sponsor;
 - B) The name and address of the participant;
 - C) A brief statement of the subject matter;
 - D) The number of 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 no renewal applicant shall receive CE credit for time not actually spent attending the program.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 11) Upon the failure of a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the Department receives assurances of compliance with this Section.
- 12) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with the requirements of this Section.

d) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections (a) and (b).
- 2) The Department 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 Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.
- 3) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

e) Continuing Education Earned in Other Jurisdictions

- 1) If a licensee has earned CE hours offered in another state or territory not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an out of state continuing education approval form, along with a \$25 processing fee, prior to participation in the program or 90 days prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.
- 2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

approval form with the \$25 processing fee plus a \$10 per hour late fee not to exceed \$150. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

- f) Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with CE requirements, the Department shall restore the license upon payment of the required fee as provided in Section 1470.55 of this Part.
- g) Waiver of CE Requirements
- 1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Department a renewal application along with the required fee set forth in Section 1470.55 of this Part, a statement setting forth the facts concerning non-compliance, and request for waiver of all or part of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of 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 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

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

[final decision on the application is made by the Department.](#)

(Source: Added at 27 Ill. Reg. 10103, effective June 20, 2003).

DEPARTMENT OF PROFESSIONAL REGULATION

AGENCY MODIFICATION IN RESPONSE TO A STATEMENT OF OBJECTION

- 1) Heading of the Part: Acupuncture Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1140
- 3)

<u>Section Numbers:</u>	<u>Action:</u>
1140.20	Accept
1140.60	Accept
1140.80	Accept
1140.90	Accept
- 4) Date Notice of Proposed Rules Published in the Register:
February 14, 2003, at 27 Ill. Reg. 2585
- 5) JCAR Statement of Objection Published in the Illinois Register:
May 30, 2003, at 27 Ill. Reg. 8894
- 6) Agency Response to Specific Joint Committee Objections:

On May 13, 2003, the Joint Committee on Administrative Rules issued an Objection to the Department of Professional Regulation's rulemaking titled Acupuncture Practice Act (68 Ill. Adm. Code 1140). Specifically, the Joint Committee on Administrative Rules objected to DPR taking an extraordinary amount of time to implement statutory directives (6 years) through its rulemaking.

The Department acknowledges this objection and in the future will make every effort to respond to statutory directives in a more timely manner.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE OF PUBLIC INFORMATION

SCHEDULED MEETING:

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:30 A.M.
JULY 8, 2003

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

If members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706
Email: jcar@legis.state.il.us
Phone: 217/785-2254*

RULEMAKINGS CURRENTLY BEFORE JCAR**PROPOSED RULEMAKINGS**Banks and Real Estate

1. Home Inspector License Act (68 Ill. Adm. Code 1410)
 - First Notice Published: 27 Ill. Reg. 5574 – 4/4/03
 - Expiration of Second Notice: 7/26/03

Education

2. Certification (23 Ill. Adm. Code 25)
 - First Notice Published: 27 Ill. Reg. 6432 – 4/18/03
 - Expiration of Second Notice: 8/3/03

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE OF PUBLIC INFORMATION

Environmental Protection Agency

3. Brownfields Redevelopment Grant Program (35 Ill. Adm. Code 885)
 - First Notice Published: 27 Ill. Reg. 37 – 1/3/03
 - Expiration of Second Notice: 7/17/03

Human Services

4. Compulsive Gambling (77 Ill. Adm. Code 2059)
 - First Notice Published: 26 Ill. Reg. 16899 – 11/22/02
 - Expiration of Second Notice: 7/24/03
5. Alcoholism and Substance Abuse Treatment and Intervention Licenses (77 Ill. Adm. Code 2060)
 - First Notice Published: 27 Ill. Reg. 3197 – 2/28/03
 - Expiration of Second Notice: 7/10/03
6. Subacute Alcoholism and Substance Abuse Treatment Services (77 Ill. Adm. Code 2090)
 - First Notice Published: 27 Ill. Reg. 2829 – 2/21/03
 - Expiration of Second Notice: 7/24/03
7. Early Intervention Program (89 Ill. Adm. Code 500)
 - First Notice Published: 27 Ill. Reg. 6494 – 4/18/03
 - Expiration of Second Notice: 8/2/03
8. Related Program Provisions (89 Ill. Adm. Code 117)
 - First Notice Published: 27 Ill. Reg. 1862 – 2/7/03
 - Expiration of Second Notice: 7/10/03
9. Application (89 Ill. Adm. Code 557)
 - First Notice Published: 27 Ill. Reg. 6514 – 4/18/03
 - Expiration of Second Notice: 7/23/03
10. Customer Financial Participation (89 Ill. Adm. Code 562)
 - First Notice Published: 27 Ill. Reg. 6520 – 4/18/03
 - Expiration of Second Notice: 7/23/03
11. Comparable Benefits (89 Ill. Adm. Code 567)
 - First Notice Published: 27 Ill. Reg. 6529 – 4/18/03
 - Expiration of Second Notice: 7/23/03

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE OF PUBLIC INFORMATION

12. Services (89 Ill. Adm. Code 590)
 - First Notice Published: 27 Ill. Reg. 6533– 4/18/03
 - Expiration of Second Notice: 7/23/03
13. Closure of a Rehabilitation Case (89 Ill. Adm. Code 595)
 - First Notice Published: 27 Ill. Reg. 6548 – 4/18/03
 - Expiration of Second Notice: 7/23/03
14. Closure (Repeal) (89 Ill. Adm. Code 617)
 - First Notice Published: 27 Ill. Reg. 6554 – 4/18/03
 - Expiration of Second Notice: 7/23/03

Natural Resources

15. Camping on Department of Natural Resources Properties (17 Ill. Adm. Code 130)
 - First Notice Published: 27 Ill. Reg. 5704 – 4/4/03
 - Expiration of Second Notice: 7/18/03
16. Squirrel Hunting (17 Ill. Adm. Code 690)
 - First Notice Published: 27 Ill. Reg. 6041 – 4/11/03
 - Expiration of Second Notice: 7/18/03
17. Conservation Reserve Enhancement Program (CREP) (17 Ill. Adm. Code 1515)
 - First Notice Published: 27 Ill. Reg. 7358 – 4/25/03
 - Expiration of Second Notice: 7/25/03

Pollution Control Board

18. General Provisions (35 Ill. Adm. Code 900)
 - First Notice Published: 27 Ill. Reg. 1889 – 2/7/03
 - Expiration of Second Notice: 8/3/03
19. Rules and Regulations for the Control of Noise from Motor Racing Facilities (Repealer) (35 Ill. Adm. Code 903)
 - First Notice Published: 27 Ill. Reg. 1909 – 2/7/03
 - Expiration of Second Notice: 8/3/03

Professional Regulation

20. The Professional Engineering Practice Act of 1989 (68 Ill. Adm. Code 1380)
 - Notice Published: 26 Ill. Reg. 18197 – 12/27/02

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE OF PUBLIC INFORMATION

-Expiration of Second Notice: 8/3/03

Public Aid

21. Practice in Administrative Hearings (89 Ill. Adm. Code 104)
 - First Notice Published: 27 Ill. Reg. 3227 – 2/28/03
 - Expiration of Second Notice: 7/16/03
22. Medical Payment (89 Ill. Adm. Code 140)
 - First Notice Published: 27 Ill. Reg. 3241 – 2/28/03
 - Expiration of Second Notice: 7/16/03

Secretary of State

23. Procedures and Standards (92 Ill. Adm. Code 1001)
 - First Notice Published: 27 Ill. Reg. 5326 – 3/28/03
 - Expiration of Second Notice: 7/26/03

AGENCY RESPONSESElections

24. The Campaign Financing Act (26 Ill. Adm. Code 100; 26 Ill. Reg. 12521)
25. Practice and Procedure (26 Ill. Adm. Code 125; 26 Ill. Reg. 12527)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 17, 2003 through June 23, 2003 and have been scheduled for review by the Committee at its July 8, 2003 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
8/2/03	<u>Department of Human Services, Early Intervention Program (89 Ill. Adm. Code 500)</u>	4/18/03 27 Ill. Reg. 6494	7/8/03
8/3/03	<u>Pollution Control Board, Rules and Regulations for the Control of Noise from Motor Racing Facilities (Repealer) (35 Ill. Adm. Code 903)</u>	2/7/03 27 Ill. Reg. 1909	7/8/03
8/3/03	<u>Pollution Control Board, General Provisions (35 Ill. Adm. Code 900)</u>	2/7/03 27 Ill. Reg. 1889	7/8/03
8/3/03	<u>State Board of Education, Certification (23 Ill. Adm. Code 25)</u>	4/18/03 27 Ill. Reg. 6432	7/8/03

EXECUTIVE ORDERS AND PROCLAMATIONS

EXECUTIVE ORDER

2003-15

EXECUTIVE ORDER ON PRESCRIPTION DRUGS

WHEREAS, the cost of prescription drugs continues to skyrocket, creating significant challenges for state agencies involved in the procurement of essential medications for Illinois citizens; and

WHEREAS, the state spends over \$1.8 billion annually on prescription drugs for Illinois citizens, including low- and moderate- income seniors, state employees, low- and moderate- income working parents and their children, people with disabilities and veterans; and

WHEREAS, the strategic coordination of prescription drug contracts and programs by a central state purchasing agent would facilitate cost efficiencies and maximize the state's purchasing power.

THEREFORE, I hereby order the following:

- I. ESTABLISHMENT OF THE SPECIAL ADVOCATE FOR PRESCRIPTION DRUGS
 - A. I hereby create, within the Department of Central Management Services, a Special Advocate for prescription drugs.
 - B. The Special Advocate shall oversee the central purchasing program for prescription drugs created by this Order and shall utilize the resources of Central Management Services, in consultation with the Director of Central Management Services, to implement that program.
 - C. All state agencies under the authority of the Governor that are involved in contracts or programs for the purchase of or payment for prescription drugs shall work in conjunction with the Special Advocate to facilitate the duties described herein.
 - D. This Executive Order shall not affect any contract or program in effect as of the date of the Order, unless or until the Special Advocate acts in relation to that contract or program.
- II. POWERS AND DUTIES OF THE SPECIAL ADVOCATE FOR PRESCRIPTION DRUGS
 - A. The Special Advocate shall have the authority to: create a central purchasing program to review all contracts and programs at agencies under the authority of the Governor that relate to the purchase of or payment for prescription drugs; develop and implement policy for such purchases and payments; and negotiate for or coordinate the negotiation of contracts, reimbursement rates and rebates.
 - B. The Special Advocate shall review all existing contracts for prescription drugs and shall have the authority to direct the various agencies to continue, freeze, or terminate those contracts, consistent with the applicable contractual terms of

EXECUTIVE ORDERS AND PROCLAMATIONS

EXECUTIVE ORDER

such contracts and in consultation with the contracting agency.

- C. The Special Advocate shall have the authority to combine any and all of the programs and contracts at the various agencies for purposes of negotiating reimbursement rates, rebates or other terms, to the extent that the combination is consistent with all applicable federal and state laws.
 - D. All state contracts related to the purchase of or payment for prescription drugs shall be subject to the approval of the Special Advocate.
 - E. The Special Advocate may propose and adopt rules under the Illinois Administrative Procedure Act regarding the procurement of prescription drugs by state agencies.
- III. SAVINGS CLAUSE
- Nothing in this Executive Order shall be construed to contravene any state or federal law. All laws and regulations relating to state contracts and programs for the procurement of prescription drugs shall remain in effect.
- IV. SEVERABILITY
- If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.
- V. EFFECTIVE DATE
- This Executive Order shall be in full force and effect upon its filing with the Secretary of State.

Issued by Governor June 19, 2003.

Filed with Secretary of State: June 19, 2003.

CARNIVAL-AMUSEMENT SAFETY BOARD

JULY 2003 REGULATORY AGENDA

- a) Part(s): Carnival and Amusement Ride Inspection Law, 56 Ill. Adm. Code 6000.80
- 1) Rulemaking:
- A) Description: The Carnival and Amusement Safety Board is planning to promulgate rules detailing the minimum acceptance criteria for insurance companies affording coverage to operators of amusement rides and amusement attractions.
- B) Statutory Authority: 430 ILCS 85/2-6
- C) Schedule of meetings and hearing dates: The date of the public hearing(s) will be announced at the time a Notice of Proposed Amendments is published.
- D) Date agency anticipates First Notice: July, 2003
- E) Affect on small business, small municipalities or not for profit corporations: While a very small number of amusement operators may experience a higher initial insurance cost all operators will be assured that the company affording the coverage has the financial stability to cover any claim that may be filed.
- F) Information concerning this regulatory agenda shall be directed to:
Carl Kimble, P.E.
Chief Inspector
Illinois Department of Labor
1 W. Old State Capitol Plaza, Room 300
Springfield, IL 62701
(217) 782-9347
- G) Related rulemaking and other pertinent information: None

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Internal Security Standard and Fidelity Bonds, 50 Ill. Adm. Code 904

1) Rulemaking:

A) Description: Section 904.5 of this Part needs to be amended in order to remove from its applicability entities that no longer exist because the underlying statute has been repealed. In addition, this Section also will need to be amended to include entities which Part 5460 applied to. That Part will be repealed and Part 904 will be retained as the comprehensive authority for all such entities.

B) Statutory Authority: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

C) Schedule meeting/hearing date: None have been scheduled.

D) Date agency anticipates First Notice: November 2003

E) Affect on small businesses, small municipalities or not for profit corporations: Not applicable

F) Agency contact person for information:

Name: Jeffrey Martin
Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001
Telephone: 217-782-1798

G) Related rulemakings and other pertinent information: The repeal of Part 5460.

b) Part(s) (Heading and Code Citation): Required Procedures for Filing and Securing Approval of Policy Forms for Life Insurance, Annuity, Accident and Health Insurance, Voluntary Health Services Plans, Dental Service Plans, Limited Health Service Organizations and Health Maintenance Organizations, 50 Ill. Adm. Code 916.

1) Rulemaking:

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

- A) Description: Part 916 has not been amended for several years and now requires numerous revisions. Obsolete provisions will be moved to the appropriate Sections or will be deleted entirely. The Department will also encourage companies to make filings using the electronic medium, but for those who will continue using paper, the illustrations to this Part will also be revised.
- B) Statutory Authority: Implementing Section 143 of the Illinois Insurance Code [215 ILCS 5/143] and Section 10 of the Voluntary Health Services Plans Act [215 ILCS 165/10] and Section 10 of the Dental Service Plan Act [215 ILCS 110/10] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 30/4003] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].
- C) Schedule meeting/hearing date: None have been scheduled.
- D) Date agency anticipates First Notice: August 2003
- E) Affect on small businesses, small municipalities or not for profit corporations: Not applicable
- F) Agency contact person for information:
- Name: Linda Fritz, Gary Brooks or Chuck Budinger
Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001
Telephone: 217-782-4515
- G) Related rulemakings and other pertinent information: None
- c) Part(s) (Heading and Code Citation): Actuarial Opinion and Memorandum, 50 Ill. Adm. Code 1408
- 1) Rulemaking:
- A) Description: There are two major changes that were made to the NAIC model. The first is the requirement for all companies to perform asset adequacy analysis on their year-end reserves. Asset adequacy analysis

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

requires that an actuary form an opinion as to the adequacy of reserves, taking into account the assets that support those reserves. The old model exempted some companies from this requirement based on size and the make-up of their balance sheet. The second major change is that the new model allows states to accept alternatives to the language in the actuarial opinions of foreign companies that reserves "are at least as great as the minimum aggregate amounts required by the state in which this statement is filed."

- B) Statutory Authority: Implementing and authorized by Section 223 of the Illinois Insurance Code [215 ILCS 5/223]
- C) Schedule meeting/hearing date: None have been scheduled.
- D) Date agency anticipates First Notice: December 2003
- E) Affect on small businesses, small municipalities or not for profit corporations: Small companies that have not had to perform asset adequacy would have to perform asset adequacy under the revised regulation. This would give greater assurance their reserves are adequate; however there would be an added expense to the company.
- F) Agency contact person for information:
 - Name: Bruce Sartain
 - Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001
 - Telephone: 217-785-0903
- G) Related rulemakings and other pertinent information: None

d) Part(s) (Heading and Code Citation): Valuation of Life Insurance Policies Including the Use of Select Mortality Factors, 50 Ill. Adm. Code 1409

1) Rulemaking:

- A) Description: The amendments to this Part will update the mortality tables used in calculating reserves and nonforfeiture values for life insurance policies. The current table is twenty years old and mortality has changed

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

significantly over the last twenty years.

- B) Statutory Authority: Implementing Section 223 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223 and 401].
- C) Schedule meeting/hearing date: None have been scheduled.
- D) Date agency anticipates First Notice: September 2003
- E) Affect on small businesses, small municipalities or not for profit corporations: Under the new amendments, use of these updated mortality tables would not be required until January 1, 2009. Until that time they are optional by plan of insurance. For whole life and term insurance, reserves, nonforfeiture values, and gross premiums are expected to decline. Therefore products will need to be repriced and refilled. Additionally, if the company uses the 2001 CSO for any plan, they will be required to perform asset adequacy analysis to assure their reserves are adequate in light of the assets they are holding in support of the reserves. The requirement to perform asset adequacy analysis will be new for some small life insurance companies.
- F) Agency contact person for information:
- Name: Bruce Sartain
Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001
Telephone: 217-785-0903
- G) Related rulemakings and other pertinent information: None

e) Part(s) (Heading and Code Citation): Group Coverage Discontinuance and Replacement, 50 Ill. Adm. Code 2013

1) Rulemaking:

- A) Description: This Part will be amended in order to implement the Illinois Health Insurance Portability and Accountability Act (HIPAA), [215 ILCS 97/1 et seq.].

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

- B) Statutory Authority: Implementing and authorized by Section 367i of the Illinois Insurance Code [215 ILCS 5/367i].
- C) Schedule meeting/hearing date: None have been scheduled.
- D) Date agency anticipates First Notice: August 2003
- E) Affect on small businesses, small municipalities or not for profit corporations: Not applicable
- F) Agency contact person for information:
- Name: Yvonne Clearwater
Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001
Telephone: 217-524-0194
- G) Related rulemakings and other pertinent information: The Department will be using some of NAIC Model #110 to address this issue.
- f) Part(s) (Heading and Code Citation): Infertility Coverage, 50 Ill. Adm. Code 2015
- 1) Rulemaking:
- A) Description: The amendments to this Part will clarify what benefits are available under the Infertility Act and this Part. Many questions have arisen since this Part was promulgated 10 years ago. These amendments will address those questions and will include:
- i) Waiver of one-year waiting period for benefits in the event conception is impossible due to an existing condition, such as absence of ovaries;
 - ii) Clarification of the definition of unprotected sexual intercourse;
 - iii) Clarification of the completed oocyte retrieval limitation AND clarification that the infertility benefit requirement is exhausted once the maximum completed oocyte retrievals

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

have been received, regardless of the source of payment;

- iv) Clarification that medical expenses of sperm and egg donors must be covered and that the infertile couple may use a known donor, if one is available and that the completed oocyte retrieval for an egg donor shall count against the infertile recipient for purposes of benefit limitation;
 - v) Clarification that medical services for impregnation of a surrogate must be covered, but not the prenatal care or delivery of the baby;
 - vi) Clarification that reversal of voluntary sterilization is not covered, but that if such procedure is successful and the one year waiting period is met, benefits for infertility are required;
 - vii) Exclusion of infertility treatments rendered to minor dependents.
- B) Statutory Authority: Implementing Section 356m of the Illinois Insurance Code, [215 ILCS 5/356m] and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].
- C) Schedule meeting/hearing date: None have been scheduled.
- D) Date agency anticipates First Notice: August 2003
- E) Affect on small businesses, small municipalities or not for profit corporations: Not applicable
- F) Agency contact person for information:
- Name: Bill McAndrew or Mary Petersen
Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001
Telephone: 217-782-4515

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

G) Related rulemakings and other pertinent information: None

g) Part(s) (Heading and Code Citation): Group Health Mandate Applicability to Non-Resident/Non-Employed Certificate Holders, 50 Ill. Adm. Code 2021

1) Rulemaking:

A) Description: This new rule will clarify procedures for filing group forms where the master contract is issued in this State, and where certificates will be issued to persons who neither work nor reside in Illinois.

B) Statutory Authority: Implementing Section 352(c) and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/352(c) and 401].

C) Schedule meeting/hearing date: None have been scheduled.

D) Date agency anticipates First Notice: August 2003

E) Affect on small businesses, small municipalities or not for profit corporations: Not applicable

F) Agency contact person for information:

Name: Chuck Budinger, Linda Fritz or Cindy Colonius

Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001

Telephone: 217-782-4515

G) Related rulemakings and other pertinent information: None

h) Part(s) (Heading and Code Citation): HIPAA Guaranteed Renewability, 50 Ill. Adm. Code 2025

1) Rulemaking:

A) Description: The Illinois Health Insurance Portability and Accountability Act set forth requirements for companies to renew individual and group policies. This rule will provide uniformity for the insurers by defining parameters on how to take action under the Act.

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

- B) Statutory Authority: Implementing Sections 30 and 50 of the Illinois Health Insurance Portability and Accountability Act [215 ILCS 97/30 and 50] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].
- C) Schedule meeting/hearing date: None have been scheduled.
- D) Date agency anticipates First Notice: September 2003
- E) Affect on small businesses, small municipalities or not for profit corporations: Not applicable
- F) Agency contact person for information:
- Name: Yvonne Clearwater
Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001
Telephone: 217-524-0194
- G) Related rulemakings and other pertinent information: None
- i) Part(s) (Heading and Code Citation): Managed Care Dental Plans, 50 Ill. Adm. Code 5425
- 1) Rulemaking:
- A) Description: The amendment makes numerous changes to filing requirements for dental managed care plans. The majority of the amended requirements were unnecessary, duplicative or burdensome.
- B) Statutory Authority: Implementing and authorized by the Dental Care Patient Protection Act [215 ILCS 109] and further authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].
- C) Schedule meeting/hearing date: None have been scheduled.
- D) Date agency anticipates First Notice: July 2003
- E) Affect on small businesses, small municipalities or not for profit

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

corporations: Not applicable

F) Agency contact person for information:

Name: Chuck Budinger, Linda Fritz or Rob Forsyth

Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001

Telephone: 217-782-4515

G) Related rulemakings and other pertinent information: None

j) Part(s) (Heading and Code Citation): Internal Security Standard and Fidelity Bonds, 50 Ill. Adm. Code 5460

1) Rulemaking:

A) Description: To repeal this Part 5460 and avoid company confusion with Part 904.

B) Statutory Authority: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

C) Schedule meeting/hearing date: None have been scheduled.

D) Date agency anticipates First Notice: November 2003

E) Affect on small businesses, small municipalities or not for profit corporations: Not applicable

F) Agency contact person for information:

Name: Jeffrey Martin

Address: Department of Insurance
320 West Washington Street
Fourth Floor
Springfield, Illinois 62767-0001

Telephone: 217-782-1798

G) Related rulemakings and other pertinent information: Amendments to

DEPARTMENT OF INSURANCE

JULY 2003 REGULATORY AGENDA

Part 904 identified above as item (a) of the Department's July 2003
Regulatory Agenda.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PUBLICATION ERROR

- 1) Heading of the Part: Appeals and Hearings
- 2) Code Citation: 89 Ill. Adm. Code 510
- 3) Register citation of proposed or adopted rulemaking and other pertinent action:
27 Ill. Reg. 9585 June 27, 2003
- 4) Explanation:

Section 510.50 (d) DHS-ORS Rights appeared as;

- a) consolidate into a single hearing all issues relating to a grievant or an issue raised by several grievant that arise out of the same set of facts and circumstances.
- b) consolicate into a single hearing all issues relating to a grievant or an issue raised by several grievants ~~that which~~ arise out of the same set of facts and circumstances.

Section 510.50 (d) DHS-ORS Rights should have appeared as;

- a) publish hearing summaries, with deletions as necessary to ensure confidentiality;
and
- b) consolidate into a single hearing all issues relating to a grievant or an issue raised by several grievants ~~that which~~ arise out of the same set of facts and circumstances.

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION

LISTINGS OF ADJUSTED STANDARDS AND COMBINED SEWER
OVERFLOW EXCEPTIONS GRANTED BY THE BOARD DURING
FISCAL YEAR 2003

Section 28.1(d)(3) of the Environmental Protection Act (Act) (415 ILCS 5/28.1(d)(3) (2002)) requires the Board to annually publish in the Illinois Register and Environmental Register a listing of all determinations made pursuant to Section 28.1 at the end of each fiscal year. This notice sets forth all adjusted standard and combine sewer overflow exception determinations made by the Board during the fiscal year 2003 (July 1, 2002, through June 30, 2003).

Final Actions Taken by the Pollution Control Board in Adjusted Standards Proceedings During
Fiscal Year 2003 (July 1, 2002 through June 30, 2003)Docket/Docket TitleFinal Determination

In the Matter Of: Petition of Ford Motor Company (Chicago Assembly Plant) for an Adjusted Standard from 35 Ill. Adm. Code 218.986 (November 21, 2002), AS 02-03

The Board granted this Chicago, Cook County facility an adjusted standard from certain volatile organic material (VOM) emissions limitation requirements. The adjusted standard revises a prior adjusted standard granted to the Ford Company (AS 00-06, April 6, 2000) by lowering the VOM emissions from 390 tons VOM per rolling 12 month total to 340 tons VOM per rolling 12-month total.

In the Matter Of: Petition of Argonne National Laboratory for an Adjusted Standard from 35 Ill. Adm. Code 218.182 (May 15, 2003), AS 03-03

The Board dismissed the petition filed on behalf of this DuPage County facility for an adjusted standard from certain volatile organic material emissions limitation requirements related to the use of cold cleaning degreasers because the petitioner had failed to timely publish the notice required by Section 28.1(d)(1) of the Act. (Petitioner has since properly refilled its petition, now pending and docketed as AS03-4.)

In the Matter Of: Petition of Exelon Generation Company for an Adjusted

The Board granted this Will County facility an adjusted standard from the general use

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION

Standard from 35 Ill. Adm. Code 302.208
(June 19, 2003), AS 03-01

water quality standards. The adjusted standard raises the level of allowable discharge of Total Dissolved Solids (TDS) from 1000 milligrams per liter (mg/L) to 1900 mg/L.

Final Actions Taken by the Pollution Control Board in Combine Sewer Overflow Exception Proceedings During Fiscal Year 2003 (July 1, 2002 through June 30, 2003)

The Board took no action in combined sewer overflow exception proceedings during fiscal year (FY) 2003, as none was filed with the Board or pending during FY 2003.

Address written comments or request copies, noting the appropriate docket number, to:

Name: Dorothy Gunn, Clerk
Address: Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
Telephone: 312-814-3620

Address questions concerning this notice, noting the appropriate docket number, to:

Name: Erin Conley
Address: Pollution Control Board
600 S. Second St. Suite 402
Springfield, Illinois 62704
Telephone: 217-782-2471
Internet: conley@ipcb.state.il.us

ILLINOIS ADMINISTRATIVE CODE

Issue Index

Rules acted upon in Volume 27, Issue 27 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquires about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

80 - 310	9656
83 - 732	9685
92 - 1500	9690
92 - 1501	9705
92 - 1515	9709
92 - 1535	9714
92 - 1536	9728
92 - 1605	9736
41 - 172	9740
89 - 546	9773
17 - 590	9778
35 - 307	9835
35 - 310	9875
35 - 602	9895
68 - 1305	9903

ADOPTED RULES

2 - 325	9915
8 - 215	9922
80 - 3000	9990
23 - 228	9996
23 - 240	10004
17 - 650	10009
17 - 660	10018
17 - 670	10025
17 - 1070	10040
17 - 2070	10053
32 - 335	10057
68 - 1140	10103

AGENCY MODIFICATION IN RESPONSE TO A STATEMENT OF OBJECTION

68 - 1140	10116
-----------	-------

JOINT COMMITTEE ON ADMINISTRATIVE RULES

23 - 25 Proposed	10117
68 - 1410 Proposed	10117
89 - 562 Proposed	10117

35 - 903 Proposed	10117
35 - 900 Proposed	10117
17 - 1515 Proposed	10117
17 - 690 Proposed	10117
89 - 104 Proposed	10117
89 - 140 Proposed	10117
35 - 885 Proposed	10117
89 - 617 Proposed	10117
89 - 595 Proposed	10117
68 - 1380 Proposed	10117
89 - 567 Proposed	10117
17 - 130 Proposed	10117
89 - 557 Proposed	10117
89 - 117 Proposed	10117
89 - 500 Proposed	10117
77 - 2090 Proposed	10117
92 - 1001 Proposed	10117
26 - 100 Agency Responses	10117
26 - 125 Agency Responses	10117
77 - 2060 Proposed	10117
77 - 2059 Proposed	10117
89 - 590 Proposed	10117

SECOND NOTICES RECEIVED

23 - 25	10121
89 - 500	10121
35 - 903	10121
35 - 900	10121

EXECUTIVE ORDERS AND PROCLAMATIONS

03 - 15	10122
---------	-------

REGULATORY AGENDA

56 - 6000 - 80	10124
50 - 904	10125

NOTICES REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

89 - 510	10135
----------	-------

ORDER FORM

<input type="checkbox"/> Subscription to the Illinois Register (52 Issues) <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
<input type="checkbox"/> Subscription to the Administrative Code on CD-ROM <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
<input type="checkbox"/> Electronic Version of the Illinois Register (E-mail Address Required) <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
<input type="checkbox"/> Back Issues of the Illinois Register (Current Year Only) Volume # _____ Issue# _____ Date _____	\$ 10.00 (each)
<input type="checkbox"/> Microfiche sets of the Illinois Register 1977 – 2001 Specify Year(s) _____	\$ 200.00 (per set)
<input type="checkbox"/> Cumulative/Sections Affected Indices 1990 - 2002 Specify Year(s) _____	\$ 5.00 (per set)
<div style="text-align: right; margin-right: 20px;"> (Processing fee for credit cards purchases, if applicable.) \$ 1.50 TOTAL AMOUNT OF ORDER \$ _____ </div>	

Check Make Checks Payable To: **Secretary of State**

<input type="checkbox"/> VISA <input type="checkbox"/> Master Card <input type="checkbox"/> Discover (There is a \$1.50 processing fee for credit card purchases.) Card #: _____ Expiration Date: _____ Signature: _____

Send Payment To: Secretary of State
 Department of Index
 Administrative Code Division
 111 E. Monroe
 Springfield, IL 62756

Fax Order To: (217) 524-0308

Name:	Attention:	ID #:
Address:		
City:	State:	Zip Code:
Phone:	Fax:	E-Mail:

Published by **JESSE WHITE** ? Secretary of State
www.cyberdriveillinois.com