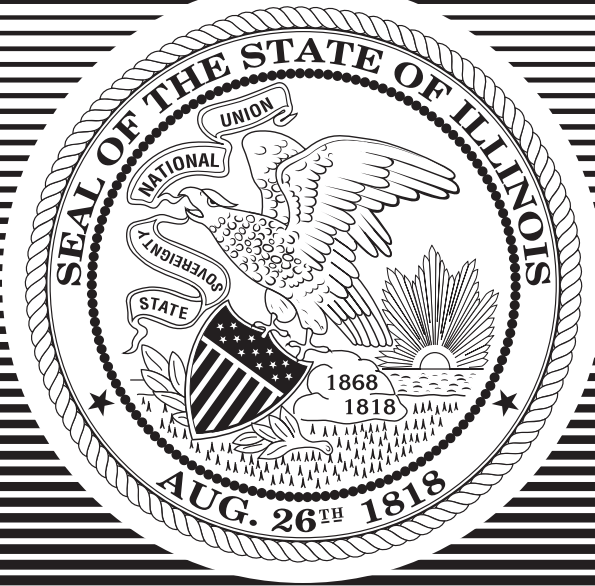

ILLINOIS

REGISTER



PUBLISHED BY JESSE WHITE • SECRETARY OF STATE

TABLE OF CONTENTS

July 2, 2021 Volume 45, Issue 27

PROPOSED RULES

REVENUE, DEPARTMENT OF Retailers' Occupation Tax 86 Ill. Adm. Code 130.....	8009
---	------

ADOPTED RULES

INSURANCE, DEPARTMENT OF Uniform Electronic Prior Authorization Form for Prescription Benefits 50 Ill. Adm. Code 2018.....	8024
--	------

POLLUTION CONTROL BOARD

Sewer Discharge Criteria 35 Ill. Adm. Code 307.....	8035
Pretreatment Programs 35 Ill. Adm. Code 310.....	8061

EMERGENCY RULES

PUBLIC HEALTH, DEPARTMENT OF Hospital Licensing Requirements 77 Ill. Adm. Code 250.....	8096
Health Care Worker Background Check Code 77 Ill. Adm. Code 955.....	8109

JOINT COMMITTEE ON ADMINISTRATIVE RULES STATEMENT OF OBJECTION

HOUSING DEVELOPMENT AUTHORITY, ILLINOIS Federal Emergency Rental Assistance Programs.....	8114
--	------

SECOND NOTICES RECEIVED

JOINT COMMITTEE ON ADMINISTRATIVE RULES Second Notices Received.....	8115
---	------

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

POLLUTION CONTROL BOARD Notice of Public Information.....	8116
Notice of Public Information On Proposed Amendments.....	8118

REGULATORY AGENDAS

ATTORNEY GENERAL, OFFICE OF THE Attorney General's Procurement 44 Ill. Adm. Code 1300.....	8120
--	------

POLLUTION CONTROL BOARD

Definitions and General Provisions 35 Ill. Adm. Code 211.....	8122
--	------

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

Motorcycle Awareness Month	
2021-95.....	8147
World Trade Month	
2021-96.....	8147
Food Allergy Awareness Week	
2021-97.....	8149
Cri Du Chat Awareness Day	
2021-98.....	8149
Lupus Awareness Month	
2021-99.....	8150
National Nurses Week	
2021-100.....	8151
National Skilled Nursing Care Week	
2021-101.....	8152
Necrotizing Fasciitis Awareness Month	
2021-102.....	8153
XLH Awareness Day	
2021-103.....	8154
Day of Prayer	
2021-104.....	8155
Fibromyalgia Awareness Month	
2021-105.....	8156
Order Sons of Italy Alzheimer's Association "Partners in Progress" Day	
2021-106.....	8156
Illinois Health and Hospital Association's Health Equity Action Day	
2021-107.....	8157
Congenital Disorders of Glycosylation (CDG) Awareness Day	
2021-108.....	8158
Emergency Medical Services Week Emergency Medical Services for Children Day	
2021-109.....	8159
National Safe Boating Week	
2021-110.....	8160
World Neurofibromatosis (NF) Awareness Day	
2021-111.....	8161
National Public Works Week	
2021-112.....	8162
Africa Day	
2021-113.....	8162
Illinois Scleroderma Awareness Month	
2021-114.....	8163
Annuity Awareness Month	
2021-115.....	8164
Asian American Pacific Islander Disability Heritage Month	

2021-116.....	8165
Elder Abuse Awareness Day	
2021-117.....	8165
Wound Care Awareness Week	
2021-118.....	8167
Brain Tumor Awareness Month	
2021-119.....	8168
Caribbean-American Heritage Month	
2021-120.....	8168
Juneteenth National Freedom Day	
2021-121.....	8169

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

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

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2021

Issue#	Rules Due Date	Date of Issue
1	December 21, 2020	January 4, 2021
2	December 28, 2020	January 8, 2021
3	January 4, 2021	January 15, 2021
4	January 11, 2021	January 22, 2021
5	January 19, 2021	January 29, 2021
6	January 25, 2021	February 5, 2021
7	February 1, 2021	February 16, 2021
8	February 8, 2021	February 19, 2021
9	February 16, 2021	February 26, 2021
10	February 22, 2021	March 5, 2021
11	March 1, 2021	March 12, 2021
12	March 8, 2021	March 19, 2021
13	March 15, 2021	March 26, 2021
14	March 22, 2021	April 2, 2021
15	March 29, 2021	April 9, 2021
16	April 5, 2021	April 16, 2021
17	April 12, 2021	April 23, 2021
18	April 19, 2021	April 30, 2021
19	April 26, 2021	May 7, 2021
20	May 3, 2021	May 14, 2021

21	May 10, 2021	May 21, 2021
22	May 17, 2021	May 28, 2021
23	May 24, 2021	June 4, 2021
24	June 1, 2021	June 11, 2021
25	June 7, 2021	June 18, 2021
26	June 14, 2021	June 25, 2021
27	June 21, 2021	July 2, 2021
28	June 28, 2021	July 9, 2021
29	July 6, 2021	July 16, 2021
30	July 12, 2021	July 23, 2021
31	July 19, 2021	July 30, 2021
32	July 26, 2021	August 6, 2021
33	August 2, 2021	August 13, 2021
34	August 9, 2021	August 20, 2021
35	August 16, 2021	August 27, 2021
36	August 23, 2021	September 3, 2021
37	August 30, 2021	September 10, 2021
38	September 7, 2021	September 17, 2021
39	September 13, 2021	September 24, 2021
40	September 20, 2021	October 1, 2021
41	September 27, 2021	October 8, 2021
42	October 4, 2021	October 15, 2021
43	October 12, 2021	October 22, 2021
44	October 18, 2021	October 29, 2021
45	October 25, 2021	November 5, 2021
46	November 1, 2021	November 12, 2021
47	November 8, 2021	November 19, 2021
48	November 15, 2021	November 29, 2021
49	November 22, 2021	December 3, 2021
50	November 29, 2021	December 10, 2021
51	December 6, 2021	December 17, 2021
52	December 13, 2021	December 27, 2021
53	December 20, 2021	December 31, 2021

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Number: 130.2050 Proposed Action: Amendment
- 4) Statutory Authority: 35 ILCS 120/12
- 5) A Complete Description of the Subjects and Issues Involved: This amended regulation increases the presumed average cost of free meals provided to employees for purposes of establishing employers' Use Tax liability from \$0.75 to \$3.50 to more accurately reflect true costs. This amended regulation also specifies tax is to be paid at the rate that would have been imposed when the employer acquired the goods from the supplier (generally low rate for groceries as the food was not initially purchased as food for immediate consumption), as this would be the taxable moment for these transactions. The presumed average cost of free meals has not been increased since 1977. The new amount was determined by adjusting the old amount for inflation.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: Bureau of Labor Statistics Inflation Calculator
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
130.120	Amendment	45 Ill. Reg. 4402; April 09, 2021
- 11) Statement of Statewide Policy Objective: This rule does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this Notice to:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

Alexis K. Overstreet
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield IL 62794

217/782-2844

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Restaurants, accommodations, and food services providing free meals to employees.
 - B) Reporting, bookkeeping or other procedures required for compliance: Basic accounting and computer skills.
 - C) Types of professional skills necessary for compliance: Basic accounting and computer skills.
- 14) Small Business Impact Analysis:
Determine whether the rulemaking has an impact on small business (fewer than 50 full-time employees or less than \$4,000,000 in gross annual sales).
- A) Types of businesses subject to the proposed rule;

44-45 Retail Trade

72 Accommodation and Food Services
 - B) Categories that the agency reasonably believes the rulemaking will impact, including:
 - ii. regulatory requirements;
 - viii. record keeping;
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the need for the amendments

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

recently became apparent during audits of taxpayers conducted by the Department of Revenue.

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

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 130
RETAILERS' OCCUPATION TAX

SUBPART A: NATURE OF TAX

Section	
130.101	Character and Rate of Tax
130.105	Responsibility of Trustees, Receivers, Executors or Administrators
130.110	Occasional Sales
130.111	Sale of Used Motor Vehicles, Aircraft, or Watercraft by Leasing or Rental Business
130.115	Habitual Sales
130.120	Nontaxable Transactions

SUBPART B: SALE AT RETAIL

Section	
130.201	The Test of a Sale at Retail
130.205	Sales for Transfer Incident to Service
130.210	Sales of Tangible Personal Property to Purchasers for Resale
130.215	Further Illustrations of Sales for Use or Consumption Versus Sales for Resale
130.220	Sales to Lessors of Tangible Personal Property
130.225	Drop Shipments

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section	
130.305	Farm Machinery and Equipment
130.310	Food, Soft Drinks and Candy
130.311	Drugs, Medicines, Medical Appliances and Grooming and Hygiene Products
130.315	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.320	Gasohol, Majority Blended Ethanol, Biodiesel Blends, and 100% Biodiesel
130.321	Fuel Used by Air Common Carriers in Flights Engaged in Foreign Trade or Engaged in Trade Between the United States and any of its Possessions
130.325	Graphic Arts Machinery and Equipment Exemption
130.330	Manufacturing Machinery and Equipment

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

130.331	Manufacturer's Purchase Credit
130.332	Automatic Vending Machines
130.335	Pollution Control Facilities and Low Sulfur Dioxide Emission Coal-Fueled Devices
130.340	Rolling Stock
130.341	Commercial Distribution Fee Sales Tax Exemption
130.345	Oil Field Exploration, Drilling and Production Equipment
130.350	Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment
130.351	Aggregate Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment

SUBPART D: GROSS RECEIPTS

Section	
130.401	Meaning of Gross Receipts
130.405	How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser
130.410	Cost of Doing Business Not Deductible
130.415	Transportation and Delivery Charges
130.420	Finance or Interest Charges – Penalties – Discounts
130.425	Traded-In Property
130.430	Deposit or Prepayment on Purchase Price
130.435	State and Local Taxes Other Than Retailers' Occupation Tax
130.440	Penalties
130.445	Federal Taxes
130.450	Installation, Alteration and Special Service Charges
130.455	Motor Vehicle Leasing and Trade-In Allowances

SUBPART E: RETURNS

Section	
130.501	Monthly Tax Returns – When Due – Contents
130.502	Quarterly Tax Returns
130.505	Returns and How to Prepare
130.510	Annual Tax Returns
130.515	First Return
130.520	Final Returns When Business is Discontinued
130.525	Who May Sign Returns
130.530	Returns Covering More Than One Location Under Same Registration – Separate

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

	Returns for Separately Registered Locations
130.535	Payment of the Tax, Including Quarter Monthly Payments in Certain Instances
130.540	Returns on a Transaction by Transaction Basis
130.545	Registrants Must File a Return for Every Return Period
130.550	Filing of Returns for Retailers by Suppliers Under Certain Circumstances
130.551	Prepayment of Retailers' Occupation Tax on Motor Fuel
130.552	Alcoholic Liquor Reporting
130.555	Vending Machine Information Returns
130.560	Verification of Returns

SUBPART F: INTERSTATE COMMERCE

Section	
130.601	Preliminary Comments (Repealed)
130.605	Sales of Property Originating in Illinois; Questions of Interstate Commerce
130.610	Sales of Property Originating in Other States (Repealed)

SUBPART G: CERTIFICATE OF REGISTRATION

Section	
130.701	General Information on Obtaining a Certificate of Registration
130.705	Procedure in Disputed Cases Involving Financial Responsibility Requirements
130.710	Procedure When Security Must be Forfeited
130.715	Sub-Certificates of Registration
130.720	Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances
130.725	Display
130.730	Replacement of Certificate
130.735	Certificate Not Transferable
130.740	Certificate Required For Mobile Vending Units
130.745	Revocation of Certificate

SUBPART H: BOOKS AND RECORDS

Section	
130.801	Books and Records – General Requirements
130.805	What Records Constitute Minimum Requirement
130.810	Records Required to Support Deductions
130.815	Preservation and Retention of Records

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

- 130.820 Preservation of Books During Pendency of Assessment Proceedings
130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

SUBPART I: PENALTIES AND INTEREST

- Section
130.901 Civil Penalties
130.905 Interest
130.910 Criminal Penalties
130.915 Criminal Investigations

SUBPART J: BINDING OPINIONS

- Section
130.1001 When Opinions from the Department are Binding

SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

- Section
130.1101 Definition of Federal Area
130.1105 When Deliveries on Federal Areas Are Taxable
130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

- Section
130.1201 General Information
130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

- Section
130.1301 When Lessee of Premises Must File Return for Leased Department
130.1305 When Lessor of Premises Should File Return for Business Operated on Leased Premises
130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

SUBPART N: SALES FOR RESALE

Section

- 130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale
- 130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale
- 130.1410 Requirements for Certificates of Resale (Repealed)
- 130.1415 Resale Number – When Required and How Obtained
- 130.1420 Blanket Certificate of Resale (Repealed)

SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section

- 130.1501 Claims for Credit – Limitations – Procedure
- 130.1505 Disposition of Credit Memoranda by Holders Thereof
- 130.1510 Refunds
- 130.1515 Interest

SUBPART P: PROCEDURE TO BE FOLLOWED UPON
SELLING OUT OR DISCONTINUING BUSINESS

Section

- 130.1601 When Returns are Required After a Business is Discontinued
- 130.1605 When Returns Are Not Required After Discontinuation of a Business
- 130.1610 Cross Reference to Bulk Sales Regulation

SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section

- 130.1701 Bulk Sales: Notices of Sales of Business Assets

SUBPART R: POWER OF ATTORNEY

Section

- 130.1801 When Powers of Attorney May be Given
- 130.1805 Filing of Power of Attorney With Department
- 130.1810 Filing of Papers by Agent Under Power of Attorney

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

SUBPART S: SPECIFIC APPLICATIONS

Section

- 130.1901 Addition Agents to Plating Baths
- 130.1905 Agricultural Producers
- 130.1910 Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage Stamps and Like Articles
- 130.1915 Auctioneers and Agents
- 130.1920 Barbers and Beauty Shop Operators
- 130.1925 Blacksmiths
- 130.1930 Chiropodists, Osteopaths and Chiropractors
- 130.1934 Community Water Supply
- 130.1935 Computer Software
- 130.1940 Construction Contractors and Real Estate Developers
- 130.1945 Co-operative Associations
- 130.1946 Tangible Personal Property Used or Consumed in Graphic Arts Production within Enterprise Zones Located in a County of more than 4,000 Persons and less than 45,000 Persons
- 130.1947 Tangible Personal Property Used or Consumed in the Process of Manufacturing and Assembly within Enterprise Zones or by High Impact Businesses
- 130.1948 Tangible Personal Property Used or Consumed in the Operation of Pollution Control Facilities Located within Enterprises Zones
- 130.1949 Sales of Building Materials Incorporated into the South Suburban Airport
- 130.1950 Sales of Building Materials Incorporated into the Illiana Expressway
- 130.1951 Sales of Building Materials Incorporated into Real Estate within Enterprise Zones
- 130.1952 Sales of Building Materials to a High Impact Business
- 130.1953 Sales of Building Materials to be Incorporated into a Redevelopment Project Area within an Intermodal Terminal Facility Area
- 130.1954 Sales of Building Materials Incorporated into Real Estate within River Edge Redevelopment Zones
- 130.1955 Farm Chemicals
- 130.1956 Dentists
- 130.1957 Tangible Personal Property Used in the Construction or Operation of Data Centers
- 130.1960 Finance Companies and Other Lending Agencies – Installment Contracts – Bad Debts
- 130.1965 Florists and Nurserymen
- 130.1970 Hatcheries
- 130.1971 Sellers of Pets and the Like

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

- 130.1975 Operators of Games of Chance and Their Suppliers
- 130.1980 Optometrists and Opticians
- 130.1985 Pawnbrokers
- 130.1990 Peddlers, Hawkers and Itinerant Vendors
- 130.1995 Personalizing Tangible Personal Property
- 130.2000 Persons Engaged in the Printing, Graphic Arts or Related Occupations, and Their Suppliers
- 130.2004 Sales to Nonprofit Arts or Cultural Organizations
- 130.2005 Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons
- 130.2006 Sales by Teacher-Sponsored Student Organizations
- 130.2007 Exemption Identification Numbers
- 130.2008 Sales by Nonprofit Service Enterprises
- 130.2009 Personal Property Purchased Through Certain Fundraising Events for the Benefit of Certain Schools
- 130.2010 Persons Who Rent or Lease the Use of Tangible Personal Property to Others
- 130.2011 Sales to Persons Who Lease Tangible Personal Property to Exempt Hospitals
- 130.2012 Sales to Persons Who Lease Tangible Personal Property to Governmental Bodies
- 130.2013 Persons in the Business of Both Renting and Selling Tangible Personal Property – Tax Liabilities, Credit
- 130.2015 Persons Who Repair or Otherwise Service Tangible Personal Property
- 130.2020 Physicians and Surgeons
- 130.2025 Picture-Framers
- 130.2030 Public Amusement Places
- 130.2035 Registered Pharmacists and Druggists
- 130.2040 Retailers of Clothing
- 130.2045 Retailers on Premises of the Illinois State Fair, County Fairs, Art Shows, Flea Markets and the Like
- 130.2050 Sales and Gifts By Employers to Employees
- 130.2055 Sales by Governmental Bodies
- 130.2060 Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
- 130.2065 Sales of Automobiles for Use In Demonstration (Repealed)
- 130.2070 Sales of Containers, Wrapping and Packing Materials and Related Products
- 130.2075 Sales To Construction Contractors, Real Estate Developers and Speculative Builders
- 130.2076 Sales to Purchasers Performing Contracts with Governmental Bodies
- 130.2080 Sales to Governmental Bodies, Foreign Diplomats and Consular Personnel
- 130.2081 Tax-Free Purchases By Exempt Entities, Their Employees and Representatives, and Documenting Sales to Exempt Entities, Their Employees and Representatives

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

130.2085	Sales to or by Banks, Savings and Loan Associations and Credit Unions
130.2090	Sales to Railroad Companies
130.2095	Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
130.2100	Sellers of Feeds and Breeding Livestock
130.2101	Sellers of Floor Coverings
130.2105	Sellers of Newspapers, Magazines, Books, Sheet Music and Musical Recordings, and Their Suppliers; Transfer of Data Downloaded Electronically
130.2110	Sellers of Seeds and Fertilizer
130.2115	Sellers of Machinery, Tools and Special Order Items
130.2120	Suppliers of Persons Engaged in Service Occupations and Professions
130.2125	Discount Coupons, Gift Situations, Trading Stamps, Automobile Rebates and Dealer Incentives
130.2130	Undertakers and Funeral Directors
130.2135	Vending Machines
130.2140	Vendors of Curtains, Slip Covers and Other Similar Items Made to Order
130.2145	Vendors of Meals
130.2150	Vendors of Memorial Stones and Monuments
130.2155	Tax Liability of Sign Vendors
130.2156	Vendors of Steam
130.2160	Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.
130.2165	Veterinarians
130.2170	Warehousemen

SUBPART T: DIRECT PAYMENT PROGRAM

Section

130.2500	Direct Payment Program
130.2505	Qualifying Transactions, Non-transferability of Permit
130.2510	Permit Holder's Payment of Tax
130.2515	Application for Permit
130.2520	Qualification Process and Requirements
130.2525	Application Review
130.2530	Recordkeeping Requirements
130.2535	Revocation and Withdrawal
130.ILLUSTRATION A	Examples of Tax Exemption Cards
130.ILLUSTRATION B	Example of Notice of Revocation of Certificate of Registration
130.ILLUSTRATION C	Food Flow Chart

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 2505-25 of the Department of Revenue Law [20 ILCS 2505].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg.

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 12211, effective August 26, 1997; amended at 22 Ill. Reg. 3097, effective January 27, 1998; amended at 22 Ill. Reg. 11874, effective June 29, 1998; amended at 22 Ill. Reg. 19919, effective October 28, 1998; amended at 22 Ill. Reg. 21642, effective November 25, 1998; amended at 23 Ill. Reg. 9526, effective July 29, 1999; amended at 23 Ill. Reg. 9898, effective August 9, 1999; amended at 24 Ill. Reg. 10713, effective July 7, 2000; emergency amendment at 24 Ill. Reg. 11313, effective July 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15104, effective October 2, 2000; amended at 24 Ill. Reg. 18376, effective December 1, 2000; amended at 25 Ill. Reg. 941, effective January 8, 2001; emergency amendment at 25 Ill. Reg. 1792, effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 4674, effective March 15, 2001; amended at 25 Ill. Reg. 4950, effective March 19, 2001; amended at 25 Ill. Reg. 5398, effective April 2, 2001; amended at 25 Ill. Reg. 6515, effective May 3, 2001; expedited correction at 25 Ill. Reg. 15681, effective May 3, 2001; amended at 25 Ill. Reg. 6713, effective May 9, 2001; amended at 25 Ill. Reg. 7264, effective May 25, 2001; amended at 25 Ill. Reg. 10917, effective August 13, 2001; amended at 25 Ill. Reg. 12841, effective October 1, 2001; amended at 26 Ill. Reg. 958, effective January 15, 2002; amended at 26 Ill. Reg. 1303, effective January 17, 2002; amended at 26 Ill. Reg. 3196, effective February 13, 2002; amended at 26 Ill. Reg. 5369, effective April 1, 2002; amended at 26 Ill. Reg. 5946, effective April 15, 2002; amended at 26 Ill. Reg. 8423, effective May 24, 2002; amended at 26 Ill. Reg. 9885, effective June 24, 2002; amended at 27 Ill. Reg. 795, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 11099, effective July 7, 2003, for a maximum of 150 days; emergency expired December 3, 2003; amended at 27 Ill. Reg. 17216, effective November 3, 2003; emergency amendment at 27 Ill. Reg. 18911, effective November 26, 2003, for a maximum of 150 days; emergency expired April 23, 2004; amended at 28 Ill. Reg. 9121, effective June 18, 2004; amended at 28 Ill. Reg. 11268, effective July 21, 2004; emergency amendment at 28 Ill. Reg. 15193, effective November 3, 2004, for a maximum of 150 days; emergency expired April 1, 2005; amended at 29 Ill. Reg. 7004, effective April 26, 2005; amended at 31 Ill. Reg. 3574, effective February 16, 2007; amended at 31 Ill. Reg. 5621, effective March 23, 2007; amended at 31 Ill. Reg. 13004, effective August 21, 2007; amended at 31 Ill. Reg. 14091, effective September 21, 2007; amended at 32 Ill. Reg. 4226, effective March 6, 2008; emergency amendment at 32 Ill. Reg. 8785, effective May 29, 2008, for a maximum of 150 days; emergency expired October 25, 2008; amended at 32 Ill. Reg. 10207, effective June 24, 2008; amended at 32 Ill. Reg. 17228, effective October 15, 2008; amended at 32 Ill. Reg. 17519, effective October 24, 2008; amended at 32 Ill. Reg. 19128, effective December 1, 2008; amended at 33 Ill. Reg. 1762, effective January 13, 2009; amended at 33 Ill. Reg. 2345, effective January 23, 2009; amended at 33 Ill. Reg. 3999, effective February 23, 2009; amended at 33 Ill. Reg. 15781, effective October 27, 2009; amended at 33 Ill. Reg. 16711, effective November 20, 2009; amended at 34 Ill. Reg. 9405, effective June 23, 2010; amended at 34 Ill. Reg. 12935,

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

effective August 19, 2010; amended at 35 Ill. Reg. 2169, effective January 24, 2011; amended at 36 Ill. Reg. 6662, effective April 12, 2012; amended at 38 Ill. Reg. 12909, effective June 9, 2014; amended at 38 Ill. Reg. 17060, effective July 25, 2014; amended at 38 Ill. Reg. 17421, effective July 31, 2014; amended at 38 Ill. Reg. 17756, effective August 6, 2014; amended at 38 Ill. Reg. 19998, effective October 1, 2014; amended at 39 Ill. Reg. 1793, effective January 12, 2015; amended at 39 Ill. Reg. 12597, effective August 26, 2015; amended at 39 Ill. Reg. 14616, effective October 22, 2015; amended at 40 Ill. Reg. 6130, effective April 1, 2016; amended at 40 Ill. Reg. 13448, effective September 9, 2016; amended at 41 Ill. Reg. 10721, effective August 1, 2017; amended at 42 Ill. Reg. 2850, effective January 26, 2018; amended at 43 Ill. Reg. 4201, effective March 20, 2019; amended at 43 Ill. Reg. 5069, effective April 17, 2019; amended at 43 Ill. Reg. 8865, effective July 30, 2019; emergency amendment at 43 Ill. Reg. 9841, effective August 21, 2019, for a maximum of 150 days; emergency amendment at 44 Ill. Reg. 552, effective December 27, 2019, for a maximum of 150 days; emergency expired May 24, 2020; emergency amendment at 44 Ill. Reg. 2055, effective January 13, 2020, for a maximum of 180 days; amended at 44 Ill. Reg. 5392, effective March 16, 2020; amended at 44 Ill. Reg. 10981, effective June 10, 2020; amended at 44 Ill. Reg. 13975, effective August 11, 2020; amended at 45 Ill. Reg. 352, effective December 21, 2020; amended at 45 Ill. Reg. 7248, effective June 3, 2021; amended at 45 Ill. Reg. _____, effective _____.

SUBPART S: SPECIFIC APPLICATIONS

Section 130.2050 Sales and Gifts By Employers to Employees

- a) When Liable For Retailers' Occupation Tax
 - 1) Where a manufacturer or other employer, who is engaged in a commercial enterprise, sells tangible personal property to ~~its~~ employees for use or consumption, such manufacturer or other employer is engaged in the business of selling tangible personal property at retail and incurs Retailers' Occupation Tax liability with respect to ~~its~~ gross receipts from such sales. It is immaterial that ~~the~~ receipts from such sales constitute only a small fraction of the manufacturer's or other employer's total receipts from ~~its~~ business, or that sales ordinarily are made at retail only to the employees of the manufacturer or other employer and not to the general public.
 - 2) For example, where a manufacturer operates a restaurant or cafeteria at which ~~it~~ sells meals exclusively to ~~its~~ own employees, ~~such manufacturer~~ must remit to the Department the Retailers' Occupation

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENT

Tax measured by ~~its~~ gross receipts from these sales; or where a clock and watch manufacturer makes sales of clocks and watches to ~~its~~ employees for their use or consumption, ~~such manufacture~~ must remit to the Department the Retailers' Occupation Tax measured by ~~its~~ gross receipts from these sales.

b) When Not Liable For Retailers' Occupation Tax

- 1) Employers do not incur Retailers' Occupation Tax liability when they furnish tangible personal property to employees free of any charge whatsoever. For example, if employees of a restaurant, hotel or other place of business are granted the right to eat their meals free at such place of employment and are not charged anything for such meals, and are entitled to no additional compensation if they fail to eat their meals at such place of business, the furnishing of such free meals does not constitute a sale under the Retailers' Occupation Tax Act.
- 2) The mere fact that an employer shows on ~~its~~ books, for Social Security or other similar purposes, an amount which is construed under the Federal laws as "additional compensation" to employees, and which is then charged off the employer's books for meals or other tangible personal property transferred to such employees, is not sufficient, in and of itself, to establish that such transactions constitute sales within the meaning of the Retailers' Occupation Tax Act.

c) Liability For Use Tax on Gifts to Employees

If the employer gives ~~away instead of selling~~ the tangible personal property to the employee ~~instead of selling it to him~~, such employer must pay Use Tax at the rate that would have been imposed at the time the employer acquired it from a supplier on ~~its~~ the cost price of ~~the~~ such tangible personal property ~~to him~~. Where hotels, restaurants or other food vendors furnish free meals, as defined more fully in ~~subsection~~ Subsection (b) of this Section, to their employees, it will be presumed, in the absence of evidence establishing a lower figure, that the average cost of such meals to such food vendor is 75 cents per meal through December 31, 2021 and, beginning January 1, 2022, \$3.50 per meal, so this would be the tax base on which such food vendor should compute ~~its~~ Use Tax liability with respect to such meals.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Uniform Electronic Prior Authorization Form for Prescription Benefits
- 2) Code Citation: 50 Ill. Adm. Code 2018
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
2018.10	New Section
2018.20	New Section
2018.30	New Section
- 4) Statutory Authority: 215 ILCS 5/364.3 and 5/401.
- 5) Effective Date of Rules: June 21, 2021
- 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 rules, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: 44 Ill. Reg. 14406; September 11, 2020
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version:

2018.30(b), 5th paragraph, italicize all text prior to the citation in the 7th line. 1st line, changed "complete" to "completed"; 3rd and 4th line, change "for urgent medication needs" to "(if the patient has urgent medication needs)" and change "for regular medication needs" to "(if the patient has regular medication needs)". 6th line, after "granted." add "[215 ILCS 5/364.3(f)]".

2018.30(b), 6th paragraph, 7th line, changed to "patients related to responsiveness, adjudication and/or appeals."

2018.30(b), 7th paragraph, first line, after "authorization" added "alone".

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

2018.30(b), after 7th paragraph, added a new paragraph as follows: "Please refer to the plan's website for additional information that may be necessary for review. Please note that sending this form with insufficient clinical information may result in an extended review period or adverse determination. Insurers may require additional information based on the type of prescription drug being requested that may require follow-up inquiries with the provider."

2018.30(c), 6th line, deleted "his or her".

2018.30(e)(8), deleted "The form will provide options for Male or Female."

2018.30(f)(8), deleted "and" and added a new paragraph after that as follows:
"9) Contact Email Address (optional); and". In the next paragraph, changed "9)" to "10)".

2018.30(j), 1st line, after "Therapies", add ", if applicable in the provider's opinion".

2018.30(k), 2nd line: after "other information", added "in the prescribing provider's professional opinion". 4th line, added a closing quotation mark after "etc." and deleted "Please refer to the plan's website for additional information that may be necessary for review. Please note that sending this form with insufficient clinical information may result in an extended review period or adverse determination. Insurers may require additional information based on the type of prescription drug being requested that may require follow-up inquiries with the provider.""

2018.30(l): 2nd line, changed "may" to "must"; 3rd line, after "submission of the form" and before the period, added "and any links to the insurer's prior authorization form and guidelines".

2018.30(n)(5): after "Approved by" and before the semicolon, added "(name and credentials)"

2018.30(n)(6): after "Denied by" and before the semicolon, added "(name and credentials)"

After 2018.30(n)(6), added a new paragraph as follows:

"7) Reviewed by (name and credentials);". Renumbered the remaining paragraphs.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Under P.A. 101-0463, the Department of Insurance was directed to develop a uniform electronic prior authorization form for prescription benefits. This form is intended to simplify exchanges of information between prescribing providers and insurers for prior authorization requests. As required by statute, the Department developed this form with input from interested parties, who were present at multiple public meetings.

The adopted rules do not apply to any health insurance coverage that does not require prior authorization for any prescription benefits.

Beginning July 1, 2021, insurers will be required to accept and use this form. They also will be required to ensure that any person performing prior authorization on their behalf accepts and uses this form. Beginning July 1, 2021, the statute will require prescribing providers to use this form when requesting prior authorization for prescriptions covered by a patient's health insurance coverage.

The adopted rules list the information and the prompts that must be included in the form, which the Department will format and post on its website as a PDF. The form will include the following: a title, an explanatory introduction about the purposes and limitations of the form, a selection between a Standard or Expedited Review Request, a Reason for Request, Patient Demographics, Prescribing Provider Information, Pharmacy Information, Requested Prescription Drug Information, Rationale for Prior Authorization, a listing of Failed or Contraindicated Therapies, Other Pertinent Information, Insurer Contact and Submission Information, a Representation clause, and a Health Plan Use Only section where the approval or denial will be reported.

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

Ryan Gillespie
Deputy Director of Health Products
Department of Insurance
320 West Washington Street

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

Springfield IL 62767-0001

217/558-2746

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

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER Z: ACCIDENT AND HEALTH INSURANCEPART 2018
UNIFORM ELECTRONIC PRIOR AUTHORIZATION FORM
FOR PRESCRIPTION BENEFITS

Section

2018.10	Purpose and Applicability
2018.20	Definitions
2018.30	Uniform Electronic Prior Authorization Form for Prescription Benefits

AUTHORITY: Implementing Section 364.3 and authorized by Sections 364.3 and 401 of the Illinois Insurance Code [215 ILCS 5].

SOURCE: Former Part repealed at 32 Ill. Reg. 7715, effective May 5, 2008; new Part adopted at 45 Ill. Reg. 8024, effective June 21, 2021.

Section 2018.10 Purpose and Applicability

- a) This Part provides the contents of the electronic form that an insurer imposing prior authorization requirements on prescription benefits is required to utilize and accept for any health insurance coverage beginning July 1, 2021 under Section 364.3 of the Code. This form is intended to simplify exchanges of information between prescribing providers and insurers for prior authorization requests.
- b) This Part does not apply to any health insurance coverage that does not require prior authorization for any prescription benefits.

Section 2018.20 Definitions

"Code" means the Illinois Insurance Code [215 ILCS 5].

"Department" means the Illinois Department of Insurance.

"Insurer" means a "health insurance issuer" as defined in Section 5 of the Illinois Health Insurance Portability and Accountability Act [215 ILCS 97].

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

"Health insurance coverage" has the meaning ascribed in Section 5 of the Illinois Health Insurance Portability and Accountability Act.

"Prescribing provider" has the meaning ascribed in Section 364.3(a) of the Code.

"Prescription" has the meaning ascribed in Section 3(e) of the Pharmacy Practice Act [225 ILCS 85].

Section 2018.30 Uniform Electronic Prior Authorization Form for Prescription Benefits

On and after July 1, 2021, an insurer that imposes prior authorization requirements on prescription benefits in any health insurance coverage shall utilize and accept the uniform electronic prior authorization form containing the elements listed in this Section. An insurer shall require any person conducting prior authorization of prescription drug benefits on its behalf to utilize and accept this form. If any prescribing provider fails to use this form to request prior authorization of prescription benefits, the insurer will not be subject to the requirements of Section 364.3 of the Code for that request. Only the version of the PDF that is posted on the Department's website shall satisfy the requirements of this Part. The posted PDF shall consist of the following elements:

- a) The title, which will be: "Illinois Uniform Electronic Prior Authorization Form for Prescription Benefits".
- b) An explanatory introduction, which will contain the following text:

This form is made available for use by prescribing providers to initiate a prior authorization request with a commercial health insurance issuer ("insurer") regulated by the Illinois Department of Insurance.

"Prior authorization request" means a request for pre-approval from an insurer for a specified prescription or quantity of a prescription before the prescription is dispensed.

"Prescribing provider" has the meaning ascribed in Section 364.3 of the Illinois Insurance Code [215 ILCS 5].

"Prescription" has the meaning ascribed in Section 3(e) of the Pharmacy Practice Act [225 ILCS 85].

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

If, upon receipt of a completed and accurate electronic prior authorization request from a prescribing provider pursuant to the submission of this form, an insurer fails to use or accept the uniform electronic prior authorization form or fails to respond within 24 hours (if the patient has urgent medication needs), or within 72 hours (if the patient has regular medication needs), then the prior authorization request shall be deemed to have been granted. [215 ILCS 5/364.3(f)] The prescribing provider should only provide its direct contact number and initials if requesting an Expedited Review Request.

The provisions of this form do not serve as a replacement for the step therapy and formulary exception requests that may require additional information and forms as provided in Sections 25(a)(3) and 45.1 of the Managed Care Reform and Patient Rights Act [215 ILCS 134]. Nothing in this form shall be construed to alter or nullify any provisions of federal or Illinois law that impose obligations on insurers, prescribing providers, or patients related to responsiveness, adjudication and/or appeals.

Prior authorization alone is not a guarantee of benefits or payment. Actual availability of benefits is always subject to other requirements of the health plan, such as limitations and exclusions, payment of premium, and eligibility at the time services are provided. The applicable terms of a patient's plan control the benefits that are available. At the time the claims are submitted, they will be reviewed in accordance with the terms of the plan.

Please refer to the plan's website for additional information that may be necessary for review. Please note that sending this form with insufficient clinical information may result in an extended review period or adverse determination. Insurers may require additional information based on the type of prescription drug being requested that may require follow-up inquiries with the provider.

PRESCRIBING PROVIDERS: PLEASE SUBMIT THIS FORM TO THE PATIENT'S HEALTH PLAN ONLY. Please do not send forms to the Department of Insurance.

- c) A section to indicate whether the prescribing provider is making a Standard Review Request or an Expedited Review Request. For an Expedited Review

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

Request, the following certification shall appear: "I hereby certify that a standard review period may seriously jeopardize the life or health of the patient or the patient's ability to regain maximum function." The certification shall have spaces for the prescribing provider to add initials and a direct telephone number to contact the prescribing provider.

- d) A section entitled "Reason for Request", which will contain options for an Initial Authorization Request, a Renewal Request, and a Dispense As Written (DAW). The section will also have a note that states: "Note: This form does not apply to requests for medical exceptions under Sections 25(a)(3) or 45.1 of the Managed Care Reform and Patient Rights Act [215 ILCS 134]. Please contact the patient's health plan to obtain the appropriate forms."
- e) A section entitled "Patient Demographics", which will request the following information:
 - 1) Whether the patient is hospitalized;
 - 2) Patient Name;
 - 3) Patient Date of Birth;
 - 4) Patient Health Plan ID;
 - 5) Patient Health Plan Group Number (if applicable);
 - 6) Patient Address;
 - 7) Patient Phone; and
 - 8) Patient Sex.
- f) A section entitled "Prescribing Provider Information", which will request the following information:
 - 1) Prescribing Provider Name;
 - 2) NPI;

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- 3) Specialty;
 - 4) DEA Number (required for controlled substance requests only);
 - 5) Contact Name;
 - 6) Contact Phone;
 - 7) Contact Fax;
 - 8) Contact Address;
 - 9) Contact Email Address (optional); and
 - 10) Health Plan Provider ID (if accessible).
- g) A section entitled "Pharmacy Information", which will request the following information:
- 1) Pharmacy Name; and
 - 2) Pharmacy Phone.
- h) A section entitled "Requested Prescription Drug Information", which will request the following information:
- 1) Drug Name;
 - 2) Strength;
 - 3) Dosing Schedule;
 - 4) Duration;
 - 5) Diagnosis (specific with ICD#);
 - 6) Place of infusion/injection (if applicable);
 - 7) Facility Provider ID/NPI;

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- 8) Ingredients within drug; and
- 9) Whether the patient has already started the medication and, if so, when.
- i) A section entitled "Rationale for Prior Authorization", which will request information such as history of present illness, past medical history, current medications, etc. The section will indicate that the prescribing provider may also attach chart notes to support the request if the provider believes the notes will assist in the review process.
- j) A section entitled "Failed/Contraindicated Therapies", if applicable in the provider's opinion, which will request the following information:
 - 1) Drug name;
 - 2) Strength;
 - 3) Dosing Schedule;
 - 4) Duration; and
 - 5) Adverse Event/Specific Failure.
- k) A section entitled "Other Pertinent Information", which will contain the following text: "Optional: To be filled out if other information in the prescribing provider's professional opinion is necessary, such as relevant diagnostic labs, measures, response to treatment, etc." The section will contain blank space for the prescribing provider to provide this information.
- l) A section entitled "Insurer Contact and Submission Information", where an insurer must provide its unique contact information, including any electronic portal it may use for submission of the form and any links to the insurer's prior authorization form and guidelines. The insertion of this information is the only alteration that an insurer may make to the PDF posted on the Department's website before furnishing it to a prescribing provider.
- m) A section entitled "Representation", which will contain the following text:

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

"I represent to the best of my knowledge and belief that the information provided is true, complete, and fully disclosed. A person may be committing insurance fraud if false or deceptive information with the intent to defraud is provided." The section will include spaces for the prescribing provider to insert the following:

- 1) Prescribing Provider Name;
 - 2) Signature; and
 - 3) Date.
- n) A section entitled "For Health Plan Use Only", which will request the following information from the insurer in response to a submitted form:
- 1) Request date;
 - 2) Limitation of Benefits (LOB);
 - 3) Approved;
 - 4) Denied;
 - 5) Approved by (name and credentials);
 - 6) Denied by (name and credentials);
 - 7) Reviewed by (name and credentials);
 - 8) Effective date;
 - 9) Reason for denial; and
 - 10) Additional comment, if any.
- o) The month and year of the version of the form.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Sewer Discharge Criteria
- 2) Code Citation: 35 Ill. Adm. Code 307
- 3) Section Number: 307.3301 Proposed Action:
Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 13.3, and 27
- 5) Effective Date of Rule: June 21, 2021
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) Statement of Availability: The adopted amendments, a copy of the Board's opinion and order adopted June 17, 2021 in docket R21-15, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.
- 9) Notice of Proposal published in the *Illinois Register*: 45 Ill. Reg. 4212, April 2, 2021
- 10) Has JCAR issued a Statement of Objection to these rules? 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).
- 11) Differences between the Proposal and the Final Version: A table in a document entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to docket R21-15 summarizes the difference between the amendments adopted in the June 17, 2021 opinion and order and those proposed by the Board in an opinion and order dated March 18, 2021, in docket R21-15.

The differences are limited to minor stylistic revisions. The changes are intended to have no substantive effect. The Board updated the *Code of Federal Regulations* citations to the 2020 version in the incorporations by reference in 35 Ill. Adm. Code 307.3301(b), (c)(1), and (d)(1).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? 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 JCAR.

Since the Notices of Proposed Amendment appeared in the April 2, 2021 issue of the *Illinois Register*, the Board received suggestions for revision from JCAR. The Board changed the text as a result, as detailed in the Identical-in-Substance Rulemaking Addendum (Final) in docket R21-15 described in item 11 above. A table in the Identical-in-Substance Rulemaking Addendum (Final) in docket R21-15 lists the JCAR suggestion and the Board response.

- 13) Will this rulemaking replace emergency amendment currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Amendments: The following briefly describes the subjects and issues involved in the docket R21-15 rulemaking. A comprehensive description is contained in the Board's opinion and order of June 17, 2021, adopting amendments in docket R21-15, which opinion and order is available from the address below.

The docket R21-15 proceeding relates to the wastewater pretreatment requirements in 35 Ill. Adm. Code 307 and 310 of the Illinois water pollution control rules. These amendments would update the Illinois wastewater pretreatment requirements to correspond with amendments to the federal wastewater pretreatment standards that the United States Environmental Protection Agency (USEPA) adopted during the second half of 2020.

The general federal wastewater pretreatment requirements are codified at 40 C.F.R. 403. Federal categorical standards are in parts of 40 C.F.R. 405 through 471. During this period, USEPA amended implementation of its wastewater pretreatment standards as follows:

October 13, 2020 (85 Fed. Reg. 64650)	USEPA adopted the Steam Electric Reconsideration Rule, reconsidering November 3, 2015 (80 Fed. Reg. 67838) revisions to wastewater discharge
--	--

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

requirements applicable to sources in the Steam
Electric Power Generating Point Source Category.

November 2, 2020
(85 Fed. Reg. 69189)

USEPA extended the compliance date for Phase 2 of
its October 22, 2015 (80 Fed. Reg. 64064) NPDES
digital reporting rule.

The Board deviated from the literal text of the USEPA amendment by using incorporation by reference rather than reproducing the text from USEPA's rules. Thus, updating the incorporation by reference includes the USEPA actions. The Board further made several non-substantive corrections and stylistic revisions, some of which were at the request of JCAR, and updated incorporations by reference to *Code of Federal Regulations* and *United States Code* provisions to the latest versions available.

Tables appear in a document entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to docket R21-15 that list the revisions to the text since the Board's March 18, 2021 proposal for public comment. 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 Identical-in-Substance Rulemaking Addendum (Final) in docket R21-15.

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).

- 16) Information and questions regarding this adopted rulemaking shall be directed to: Please reference docket R21-15 and direct inquiries to the following person:

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

312/814-6924
michael.mccambridge@illinois.gov

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

Request copies of the Board's opinion and order of June 17, 2021 at 312/814-3620.
Alternatively, you may obtain a copy of the Board's opinion and order from the Internet
at pcb.illinois.gov.

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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
307.1006	Electronic Reporting

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- 307.1509 Condensed Milk
- 307.1510 Dry Milk
- 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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

Section

- 307.1901 Beet Sugar Processing
- 307.1902 Crystalline Cane Sugar Refining
- 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: CONCENTRATED ANIMAL FEEDING OPERATIONS

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

307.2304	Anodizing
307.2305	Coatings
307.2306	Chemical Etching and Milling
307.2307	Electroless Plating
307.2308	Printed Circuit Boards

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 Waste Streams
307.2491	Complexed Metal-Bearing Waste Streams

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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
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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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
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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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
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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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
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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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
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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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

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 Booths or without Laundry Facilities
307.3916	Wood Furniture and Fixture Production with Water Wash Spray Booths or with Laundry Facilities

SUBPART BE: PULP, PAPER, AND PAPERBOARD

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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)
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

Section

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

SUBPART BG: MEAT PRODUCTS

Section

307.4201	Simple Slaughterhouse
307.4202	Complex Slaughterhouse

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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 BJ: OIL AND GAS EXTRACTION

Section	
307.4503	Onshore Facility Standards
307.4508	Coalbed Methane Subcategory

SUBPART BL: CENTRALIZED WASTE TREATMENT

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 Waste Streams

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)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

SUBPART BP: DENTAL OFFICES

Section
307.5100 Dental Offices

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

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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
307.7104 Leclanche
307.7105 Lithium
307.7106 Magnesium
307.7107 Zinc

SUBPART CL: PLASTICS MOLDING AND FORMING

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- 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

- Section
307.7700 General Provisions
307.7701 Rolling With Neat Oils
307.7702 Rolling With Emulsions

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

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)

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].

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

SOURCE: Adopted in R70-5, March 31, 1971; amended in R70-8/R71-14/R71-20, March 7, 1972; amended in R74-3, October 30, 1975; amended in R74-15/R74-16 at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended in R76-17 at 2 Ill. Reg. 45, p. 101, effective November 5, 1978; amended in R76-21 at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended in R82-5/R82-10 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. 15095, effective September 10, 2003; amended in R04-1 at 28 Ill. Reg. 3076, effective February 6, 2004; amended in R04-18 at 28 Ill. Reg. 10661, effective July 13, 2004; amended in R05-4/R05-15 at 29 Ill. Reg. 6921, effective April 26, 2005; amended in R06-13 at 30 Ill. Reg. 17811, effective October 26, 2006; amended in R08-5/R08-7/R08-13 at 32 Ill. Reg. 18986, effective November 26, 2008; amended in R13-7 at 37 Ill. Reg. 1936, effective February 4, 2013; amended in R16-9 and R17-8 at 41 Ill. Reg. 1129, effective January 23, 2017; amended in R18-6/R18-14 at 42 Ill. Reg. 10676, effective May 29, 2018; amended in R21-15 at 45 Ill. Reg. 8035, effective June 21, 2021.

SUBPART X: STEAM ELECTRIC POWER GENERATING

Section 307.3301 Steam Electric Power Generating

- a) **Applicability.** This Section applies to discharges resulting from operation of a generating unit by an establishment whose generation of electricity is the predominant source of revenue or principal reason for operation, and whose generation of electricity results primarily from a process utilizing fossil-type fuel (coal, oil, or gas), fuel derived from fossil fuel (e.g., petroleum coke, synthesis gas), or nuclear fuel in conjunction with a thermal cycle employing the steam water system as the thermodynamic medium. This Section applies to discharges associated with both the combustion turbine and steam turbine portions of a combined cycle generating unit.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- b) Specialized ~~Definitions~~definitions. The Board incorporates by reference 40 CFR 423.11 ~~(2020)(2017)~~, as amended at ~~8582~~ Fed. Reg. ~~64650 (Oct. 13, 2020)~~43494 (Sep. 18, 2017). This incorporation includes no later amendments or editions.
- c) Existing ~~Sources~~sources.
- 1) The Board incorporates by reference 40 CFR ~~423.13(g)(3)(i) and 423.16 (2020)(2017)~~, as amended at 85 Fed. Reg. 64650 (Oct. 14, 2020); 40 CFR 423.13(k)(3) and (o), 423.18, and 423.19, as added at 8582 Fed. Reg. 64650 (Oct. 13, 2020);43494 (Sep. 18, 2017), and appendix A to 40 CFR 423 (2020)(2017). ~~These incorporations include~~This incorporation includes no later amendments or editions.
- A) Flue Gas Desulfurization (FGD) Wastewater Discharges by Electric Generating Units (EGUs) Seeking Voluntary Incentives Participation (VIP). The owner or operator of an EGU opting into VIP, may seek to operate under alternative standards for FGD wastewater, as defined in 40 CFR 423.11(n), incorporated by reference in subsection (b), discharges as provided in 40 CFR 423.13(g)(3)(i) after fulfilling the certification requirements in 40 CFR 423.19(a), (b), and (h).
- BOARD NOTE: This subsection (c)(1)(A) derives from 40 CFR 423.13(g)(3)(i) and 423.19(h). USEPA calls VIP "Voluntary Incentives Program," and the Board evokes enough of that name as is evocative but stops short of using the same name. USEPA stated that its Voluntary Incentives Program applies only to direct discharges and is not finalized as to indirect discharges. 85 Fed. Reg. 64650, 64660, 64675 (Oct. 13, 2020). USEPA's rules, however, expressly contemplate applying its elements to indirect discharges. See 40 CFR 423.19(h)(3).
- B) Flue Gas Desulfurization (FGD) Wastewater Discharges by EGUs Initiating Cessation of Coal Burning. The owner or operator of an EGU that will undergo permanent cessation of coal combustion, as defined in 40 CFR 423.11(w), incorporated by reference in subsection (b), may seek to operate under alternative standards for FGD wastewater, as defined in 40 CFR 423.11(n), incorporated by

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

reference in subsection (b), discharges as provided in 40 CFR 423.16(e)(1) after fulfilling the certification requirements in 40 CFR 423.19(a), (b), and (f).

BOARD NOTE: This subsection (c)(1)(B) derives from 40 CFR 423.16(e)(1) and 423.19(f).

- C) Notice of Material Delay. An EGU that will undergo permanent cessation of coal combustion or one that opted into VIP under alternative standards under subsection (c)(1)(A) operating under alternative standards under subsection (c)(1)(B) must submit a notice of significant delay as required by 40 CFR 423.19(j).

BOARD NOTE: This subsection (c)(1)(C) derives from 40 CFR 423.19(j).

- D) FGD Wastewater Discharges by Low Utilization EGUs (LUEGUs). The owner or operator of an EGU that qualifies as a LUEGU, as defined in 40 CFR 423.11(z), incorporated by reference in subsection (b), may seek to operate under the alternative standards for FGD wastewater, as defined in 40 CFR 423.11(n), incorporated by reference in subsection (b), discharges provided in 40 CFR 423.16(e)(2) after fulfilling the certification requirements in 40 CFR 423.19(a), (b), and (e).

BOARD NOTE: This subsection (c)(1)(D) derives from 40 CFR 423.16(e)(2) and 423.19(e).

- E) Bottom Ash (BA) Transport Water Discharges. Discharge of BA transport water, as defined in 40 CFR 423.11(p), incorporated by reference in subsection (b), is prohibited and only allowed as provided in 40 CFR 423.16(g) after complying with the best management practices requirements of 40 CFR 423.13(k)(3) and fulfilling the certification requirements in 40 CFR 423.19(a) through (d).

BOARD NOTE: This subsection (c)(1)(E) derives from 40 CFR 423.13(k)(3), 423.16(g), and 423.19(c) and (d).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

- F) EGUs Seeking to Transfer Between Applicable Discharge Limitations. Subject to the limitations in subsection (c)(1)(G), the owner or operator of an EGU may seek to transfer applicable discharge standards, as provided in 40 CFR 423.13(o), after fulfilling the certification requirements in 40 CFR 423.19(a), (b), and (i). The permissible transfers are the following:
- i) Before December 31, 2023, from limitations applicable to an EGU initiating cessation of coal combustion under subsection (c)(1)(B) to those applicable to a LUEGU under subsection (c)(1)(D);
 - ii) Before December 31, 2023, from VIP limitations under subsection (c)(1)(A) to those applicable to a LUEGU under subsection (c)(1)(D);
 - iii) Before December 31, 2025, from VIP limitations under subsection (c)(1)(A) to those applicable to an EGU initiating cessation of coal combustion under subsection (c)(1)(D);
 - iv) Before December 31, 2025, from limitations applicable to an EGU initiating cessation of coal combustion under subsection (c)(1)(B) to VIP limitations under subsection (c)(1)(A);
 - v) Before December 31, 2025, from limitations applicable to a LUEGU under subsection (c)(1)(D) to generally applicable limitations for discharges of FGD wastewater and BA transport water under 40 CFR 423.16;
 - vi) Before December 31, 2025, from limitations applicable to a LUEGU under subsection (c)(1)(D) to VIP limitations under subsection (c)(1)(A)
 - vii) Before December 31, 2025, from limitations applicable to a LUEGU under subsection (c)(1)(D) to those applicable to an EGU initiating cessation of coal combustion under subsection (c)(1)(B).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

BOARD NOTE: This subsection (c)(1)(F) derives from 40 CFR 423.13(o) and 423.19(i). USEPA calls VIP "Voluntary Incentives Program," and the Board evokes enough of that name as is evocative but stops short of using the same name. USEPA stated that its Voluntary Incentives Program applies only to direct discharges and is not finalized as to indirect discharges. 85 Fed. Reg. 64650, 64708 n. 166 (Oct. 13, 2020). USEPA's rules, however, expressly contemplate applying its elements to indirect discharges. See 40 CFR 423.19(i)(1).

- G) Conditions for Transfer Between Applicable Discharge Limitations. Conditions apply to transfer between applicable discharge limitations:
- i) An EGU must comply with all currently applicable requirements before filing notice under 40 CFR 423.19(i) seeking transfer to other applicable discharge limitations, as provided in 40 CFR 423.13(o)(2); and
 - ii) An EGU seeking a transfer described in subsections (c)(1)(F)(iii) through (c)(1)(F)(vii) must comply with more stringent limitations that already apply, instead of the less stringent limitations sought.

BOARD NOTE: This subsection (c)(1)(G) derives from 40 CFR 423.13(o)(2) and (o)(3).

- H) An EGU that would otherwise qualify as an LUEGU or as ceasing combustion of coal before December 31, 2028 will continue to qualify if the conditions in 40 CFR 423.18 are true and after the owner or operator fulfills the certification requirements in 40 CFR 423.19(a), (b), and (g).

BOARD NOTE: This subsection (c)(1)(H) derives from 40 CFR 423.16(e)(1) and (e)(2), 423.18, and 423.19(g). The requirements of 40 CFR 423.18 directly apply to conditions in NPDES permits. The certification requirement of 40 CFR 423.19(g) allows the discharge standards for the LUEGU or EGU ceasing coal

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

combustion subcategory continue to continue to apply to indirect dischargers under the same circumstances and conditions.

- 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of those standards.
- d) New Sources~~sources~~.
 - 1) The Board incorporates by reference 40 CFR 423.17 and appendix A to 40 CFR 423 (2020)~~(2017)~~. This incorporation includes no later amendments or editions.
 - 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) may cause, threaten, or allow the discharge of any contaminant to a POTW in violation of those standards.
 - 3) "New source" means any building, structure, facility, or installation the construction of which commenced after October 14, 1980.

(Source: Amended at 45 Ill. Reg. 8035, effective June 21, 2021)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Pretreatment Programs
- 2) Code Citation: 35 Ill. Adm. Code 310
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
310.106	Amendment
310.107	Amendment
310.605	Amendment
310.611	Amendment
310.612	Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 13.3, and 27
- 5) Effective Date of Rules: June 21, 2021
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) Statement of Availability: The adopted amendments, a copy of the Board's opinion and order adopted June 17, 2021 in docket R21-15, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.
- 9) Notice of Proposal published in the *Illinois Register*: 45 Ill. Reg. 4238, April 2, 2021
- 10) Has JCAR issued a Statement of Objection to these rules? 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).
- 11) Differences between the Proposal and the Final Version: A table in a document entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to docket R21-15 summarizes the difference between the amendments adopted in the June 17, 2021 opinion and order and those proposed by the Board in an opinion and order dated March 18, 2021, in docket R21-15.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

The differences are limited to minor stylistic revisions. The changes are intended to have no substantive effect.

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? 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 JCAR.

Since the Notices of Proposed Amendments appeared in the April 2, 2021 issue of the *Illinois Register*, the Board received suggestions for revision from JCAR. The Board changed the text as a result, as detailed in the Identical-in-Substance Rulemaking Addendum (Final) in docket R21-15 described in item 11 above. A table in the Identical-in-Substance Rulemaking Addendum (Final) in docket R21-15 lists the JCAR suggestion and the Board response.

- 13) Will this rulemaking replace emergency amendments currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Amendments: The following briefly describes the subjects and issues involved in the docket R21-15 rulemaking. A comprehensive description is contained in the Board's opinion and order of June 17, 2021, adopting amendments in docket R21-15, which opinion and order is available from the address below.

The docket R21-15 proceeding relates to the wastewater pretreatment requirements in 35 Ill. Adm. Code 307 and 310 of the Illinois water pollution control rules. The Notice of Adopted Amendment for 35 Ill. Adm. Code 307 that also appears in this issue includes a fuller description of the rulemaking of which amendments to 35 Ill. Adm. Code 310 is a part.

Tables appear in a document entitled "Identical-in-Substance Rulemaking Addendum (Final)" that the Board added to docket R21-15 that list the revisions to the text since the Board's March 18, 2021 proposal for public comment. 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 Identical-in-Substance Rulemaking Addendum (Final) in docket R21-15.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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).

- 16) Information and questions regarding this adopted rulemaking shall be directed to: Please reference docket R21-15 and direct inquiries to the following person:

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

312/814-6924
michael.mccambridge@illinois.gov

Request copies of the Board's opinion and order of June 17, 2021 at 312/814-3620.
Alternatively, you may obtain a copy of the Board's opinion and order from the Internet at pcb.illinois.gov.

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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 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
310.106	Electronic Reporting
310.107	Incorporations by Reference
310.110	Definitions
310.111	New Source
310.112	Significant Industrial User

SUBPART B: PRETREATMENT STANDARDS

Section	
310.201	General Prohibitions
310.202	Specific Prohibitions
310.210	Local Limits Developed by POTW
310.211	Status of Local Limits
310.220	Categorical Standards
310.221	Source Category Determination Request
310.222	Deadline for Compliance with Categorical Standards
310.230	Concentration and Mass Limits
310.232	Dilution Prohibited as a Substitute for Treatment
310.233	Combined Waste Stream Formula

SUBPART C: REMOVAL CREDITS

Section	
310.301	Special Definitions

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

310.302	Authority
310.303	Conditions for Authorization to Grant Removal Credits
310.310	Calculation of Revised Discharge Limits
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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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
310.505	Reissuance or Modification of Permits
310.510	Pretreatment Program Requirements
310.511	Receiving Electronic Documents
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 (Repealed)
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 POTWs
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

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 310.636 Annual Certification by Non-Significant Categorical Users
310.637 Receiving Electronic Documents

SUBPART G: FUNDAMENTALLY DIFFERENT FACTORS

- Section
310.701 Definition of Requester
310.702 Purpose and Scope
310.703 Criteria
310.704 Fundamentally Different Factors
310.705 Factors that 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

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 Definitions
310.911 Bypass Not Violating Applicable Pretreatment Standards or Requirements

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 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
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 (Repealed)

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. 15137, effective September 10, 2003; amended in R04-1 at 28 Ill. Reg. 3390, effective February 6, 2004; amended in R04-18 at 28 Ill. Reg. 10684, effective July 13, 2004; amended in R06-13 at 30 Ill. Reg. 17847, effective October 26, 2006; amended in R08-5/R08-7/R08-13 at 32 Ill. Reg. 19008, effective November 26, 2008; amended in R13-7 at 37 Ill. Reg. 1962, effective February 4, 2013; amended in R15-13 at 39 Ill. Reg. 12357, effective August 24, 2015; amended in R16-9 at 41 Ill. Reg. 1155, effective

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

January 23, 2017; amended in R21-8 at 44 Ill. Reg. 19486, effective December 3, 2020; amended in R21-15 at 45 Ill. Reg. 8061, effective June 21, 2021.

SUBPART A: GENERAL PROVISIONS

Section 310.106 Electronic Reporting

The submission of any document ~~underpursuant to~~ any provision of this Part is subject to this Section.

- a) General Federal Requirements for Electronic Reporting.
 - 1) Scope and Applicability.
 - A) USEPA has established standards for the submission of electronic documents under federally authorized programs. USEPA requires adherence to these standards for all electronic submissions to USEPA and the authorized State, ~~ifwhere~~ electronic submissions are authorized by USEPA. USEPA, the Board, the Agency, or the Control Authority may allow for the submission of electronic documents in lieu of paper documents. This subsection (a) does not require submission of electronic documents in lieu of paper documents. This subsection (a) sets forth the requirements for the optional electronic submission of any document that must be submitted to the appropriate of the following:
 - i) To USEPA directly, under 40 CFR 127; or
 - ii) To the Board, the Agency, or the Control Authority, ~~under pursuant to~~ any provision of this Part or 35 Ill. Adm. Code 307.
 - B) Electronic document submission under this subsection (a) can occur only as follows:
 - i) For submissions of documents to USEPA, submissions may occur only after USEPA has published a notice in the Federal Register announcing that USEPA is prepared to receive, in an electronic format, documents required or

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

permitted by the identified part or subpart of Title 40 of the Code of Federal Regulations; or

- ii) For submissions of documents to the State or the Control Authority, submissions may occur only into an electronic document receiving system for which USEPA has granted approval ~~underpursuant to~~ 40 CFR 3.1000, so long as the system complies with 40 ~~CFR 3.2000, CFR 3.2000,~~ incorporated by reference in Section 310.107, and USEPA has not withdrawn its approval of the system in writing.
- C) This subsection (a) does not apply to any of the following documents, whether or not the document is a document submitted to satisfy the requirements cited in subsection (a)(1)(A):
- i) Any document submitted via ~~facsimile~~~~facsimile~~;
 - ii) Any document submitted via magnetic or optical media, ~~likesuch as~~ diskette, compact disc, digital video disc, or tape; or
 - iii) Any data transfer between USEPA, any state, or any local government and any of the Board, the Agency, or the Control Authority as part of administrative arrangements between the parties to the transfer to share data.
- D) Upon USEPA conferring written approval for the submission of any types of documents as electronic documents in lieu of paper documents, as described in subsection (a)(1)(B)(ii), the Agency or the Board, as appropriate, must publish a Notice of Public Information in the Illinois Register that describes the documents approved for submission as electronic documents, the electronic document receiving system approved to receive them, the acceptable formats and procedures for their submission, and, as applicable, the date on which the Board or the Agency will begin to receive those submissions. In the event of written cessation of USEPA approval for receiving any type of document as an electronic document in lieu of a paper document, the Board or the

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Agency must similarly cause publication of a Notice of Public Information in the Illinois Register.

BOARD NOTE: Subsection (a)(1) is derived from 40 CFR 3.1, 3.2, 3.10, 3.20, and 3.1000 (2016).

- 2) Definitions. For the purposes of this subsection (a), terms will have the meaning attributed them in 40 CFR 3.3, incorporated by reference in Section 310.107.
- 3) Procedures for ~~Submission~~ submission of ~~Electronic Documents~~ electronic documents in ~~Lieu~~ lieu of ~~Paper Documents~~ paper documents to USEPA. Except as provided in subsection (a)(1)(C), any person who is required under Title 40 of the Code of Federal Regulations to create and submit or otherwise provide a document to USEPA may satisfy this requirement with an electronic document, in lieu of a paper document, provided the following conditions are met:
 - A) The person satisfies the requirements of 40 CFR 3.10, incorporated by reference in Section 310.107; and
 - B) USEPA has first published a notice in the Federal Register as described in subsection (a)(1)(B)(i).

BOARD NOTE: Subsection (a)(3) is derived from 40 CFR 3.2(a) and subpart B of 40 CFR 3 (2016).

- 4) Procedures for ~~Submission~~ submission of ~~Electronic Documents~~ electronic documents in ~~Lieu~~ lieu of ~~Paper Documents~~ paper documents to the Board, the Agency, or the Control Authority:
 - A) The Board, the Agency, or the Control Authority may, but is not required to, establish procedural rules for the electronic submission of documents. The Board or the Agency must establish any such procedural rules under the Administrative Procedure Act [5 ILCS 100/5]. The Control Authority must establish such procedures ~~under~~ pursuant to applicable State and local laws.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- B) The Board, the Agency, or the Control Authority may accept electronic documents under this subsection (a) only as provided in subsection (a)(1)(B)(ii).

BOARD NOTE: Subsection (a)(4) is derived from 40 CFR 3.2(b) and subpart D of 40 CFR 3 (2016).

- 5) Effects of ~~Submissions~~ submission of an ~~Electronic Document~~ electronic document in ~~Lieu~~ lieu of ~~Paper Document~~ paper documents.
- A) If a person who submits a document as an electronic document fails to comply with the requirements of this subsection (a), that person is subject to the penalties prescribed for failure to comply with the requirement that the electronic document was intended to satisfy.
- B) ~~If~~ Where a document submitted as an electronic document to satisfy a reporting requirement bears an electronic signature, the electronic signature legally binds, obligates, and makes the signer responsible to the same extent as the signer's handwritten signature would on a paper document submitted to satisfy the same reporting requirement.
- C) Proof that a particular signature device was used to create an electronic signature will suffice to establish that the individual uniquely entitled to use the device did so with the intent to sign the electronic document and give it effect.
- D) Nothing in this subsection (a) limits the use of electronic documents or information derived from electronic documents as evidence in enforcement or other proceedings.

BOARD NOTE: Subsection (a)(5) is derived from 40 CFR 3.4 and 3.2000(c) (2016).

- 6) Public ~~Document Subject~~ document subject to State ~~Laws~~ laws. Any electronic document filed with the Board is a public document. The document, its submission, its retention by the Board, and its availability

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

for public inspection and copying are subject to various State laws, including, ~~but not limited to,~~ the following:

- A) The Illinois Administrative Procedure Act [5 ILCS 100];
 - B) The Freedom of Information Act (FOIA) [5 ILCS 140];
 - C) The State Records Act [5 ILCS 160];
 - D) The Electronic Commerce Security Act [5 ILCS 175];
 - E) The Environmental Protection Act [415 ILCS 5];
 - F) Regulations relating to public access to Board records (2 Ill. Adm. Code 2175); and
 - G) Board procedural rules relating to protection of trade secrets and confidential information (35 Ill. Adm. Code 130).
- 7) Nothing in this subsection (a) or in any provisions adopted ~~under~~pursuant ~~to~~ subsection (a)(4)(A) will create any right or privilege to submit any document as an electronic document.

BOARD NOTE: Subsection (a)(7) is derived from 40 CFR 3.2(c) ~~(2016)~~.

BOARD NOTE: Subsection (a) is derived from 40 CFR 3 and 403.8(g) ~~(2016)~~.

- b) NPDES Electronic Reporting.
 - 1) Purpose and Scope:
 - A) This subsection (b), in conjunction with the NPDES reporting requirements specified elsewhere in this Part, specifies the requirements for:
 - i) Electronic reporting of information by NPDES permittees;
 - ii) Facilities or entities seeking coverage under NPDES general permits;

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- iii) Facilities or entities submitting waivers from NPDES permit requirements;
 - iv) Industrial users located in municipalities without approved local pretreatment programs;
 - v) Approved pretreatment programs; and
 - vi) (The Board omitted a provision derived from 40 CFR 127.1(a)(6), as subject matter outside the scope of wastewater pretreatment. This statement maintains structural consistency with the corresponding federal provisions.)
 - vii) USEPA and the Agency, to the extent the Agency has received authorization from USEPA to implement the NPDES program. This subsection (b), in conjunction with other segments of this Part, also specifies the requirements for electronic reporting of NPDES information to USEPA by the states, tribes, or territories that have received authorization from USEPA to implement the NPDES program.
- B) To the extent the Agency is authorized to implement a segment of the NPDES program, the Agency must ensure that the required minimum set of NPDES data (appendix A to 40 CFR 127, incorporated by reference in Section 310.107) is electronically transferred to USEPA in a timely, accurate, complete, and nationally-consistent manner fully compatible with USEPA's national NPDES data system.
- C) To the extent that the Secretary of Defense has exempted Department of Defense "critical infrastructure security information" from disclosure under the federal Freedom of Information Act ~~underpursuant to~~ 10 USC 130e, the exempted NPDES program data will be withheld from the public (see also section 7(1)(k) of the FOIA). In the instance that an NPDES program data element for a particular facility is designated as

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

critical infrastructure security information in response to a FOIA request, a separate filtered set of data without the redacted information will be shared with the public; however, all NPDES program data will continue to be provided to USEPA and the Agency under the authorized State NPDES program.

- D) Proper collection, management, and sharing of the data and information listed in appendix A to 40 CFR 127, incorporated by reference in Section 310.107, ensures that there is a timely, complete, accurate, and nationally consistent set of data about the NPDES program.

BOARD NOTE: Subsection (b)(1) is derived from 40 CFR 127.1-(2016).

- 2) Definitions. For the purposes of this subsection (b), the following terms have the following meanings.

"Initial recipient of electronic NPDES information from NPDES-regulated facilities" or "initial recipient" means the entity (USEPA or, after Illinois is authorized by USEPA to implement the NPDES program, the Agency) that is the designated entity for receiving electronic NPDES data.

BOARD NOTE: Derived from 40 CFR 127.2(b)-(2016). USEPA is the initial recipient for a specific NPDES data group and NPDES program area until USEPA authorizes the State to act as initial recipient for that NPDES data group and NPDES program area.

"Minimum set of NPDES data" means the data and information listed in table 1 in appendix A to 40 CFR 127, incorporated by reference in Section 310.107.

BOARD NOTE: Derived from 40 CFR 127.2(e)-(2016). For the purposes of this Part, the only data and information intended are those associated with NPDES data groups 1 (core NPDES data), 2 (general permit reports), 7 (pretreatment program reports), and 8 (significant industrial user reports).

"NPDES data group" means the group of related data elements identified in table 1 in appendix A to 40 CFR 127, incorporated by reference in Section 310.107. These NPDES data groups have

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

similar regulatory reporting requirements and have similar data sources.

BOARD NOTE: Derived from 40 CFR 127.2(c)-(2016).

"NPDES program", for the purposes of this subsection (b), means the federal pretreatment program adopted by the Board ~~underpursuant to~~ Section 13.3 of the Act to implement section 307(b) of the Clean Water Act (~~3342~~ USC ~~1317(b)+307(b)~~).

USEPA can implement the NPDES program or authorize the State to implement the NPDES program ("authorized NPDES program"). Identifying the relevant authority must be done for each NPDES subprogram (e.g., NPDES core program, federal facilities, general permits, and pretreatment).

BOARD NOTE: Derived from 40 CFR 127.2(d)-(2016). This definition is limited to wastewater pretreatment. The corresponding federal definition includes all other aspects of the NPDES program.

"NPDES-regulated entity" means any entity regulated by the NPDES program that has a role in the NPDES program, as defined in this subsection (b)(2).

BOARD NOTE: Derived from 40 CFR 127.2(h)-(2016). This definition is limited to wastewater pretreatment. The corresponding federal definition includes all other aspects of the NPDES program.

"Program reports" means the information reported by NPDES-regulated entities and listed in table 1 in appendix A to 40 CFR 127, incorporated by reference in Section 310.107 (except NPDES data groups 1 and 2).

BOARD NOTE: Derived from 40 CFR 127.2(f)-(2016). For the purposes of this subsection (b), the only information intended is that associated with NPDES data groups 7 (pretreatment program reports) and 8 (significant industrial user reports).

BOARD NOTE: Subsection (b)(2) is derived from 40 CFR 127.2-(2016).

- 3) Data to ~~Be~~ Reported Electronically-

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- A) An NPDES-regulated entity must electronically submit the minimum set of NPDES data for these NPDES reports, as applicable. The following NPDES reports are the source of the minimum set of NPDES data from NPDES-regulated entities:
- i) Discharge monitoring reports (as required by USEPA ~~underpursuant to~~ 40 CFR 122.41(l)(4)).
 - ii) This subsection (b)(3)(A)(ii) corresponds with 40 CFR 127.11(a)(2), which pertains to sewage sludge/biosolids annual reports, a subject matter outside the scope of wastewater pretreatment. This statement maintains structural consistency with the federal rules.
 - iii) Concentrated animal feeding operation annual program reports (as required by USEPA ~~underpursuant to~~ 40 CFR 122.42(e)(4)).
 - iv) This subsection (b)(3)(A)(iv) corresponds with 40 CFR 127.11(a)(4), which pertains to municipal separate storm sewer system program reports, a subject matter outside the scope of wastewater pretreatment. This statement maintains structural consistency with the federal rules.
 - v) Pretreatment program annual reports (see Section 310.612).
 - vi) Sewer overflow and bypass incident event reports (as required by USEPA ~~underpursuant to~~ 40 CFR 122.41(l)(6) and (l)(7)).
 - vii) This subsection (b)(3)(A)(vii) corresponds with 40 CFR 127.11(a)(7), which pertains to cooling water intake structure reports, a subject matter outside the scope of wastewater pretreatment. This statement maintains structural consistency with the federal rules.
- B) A facility or entity seeking coverage under or termination from an NPDES general permit must electronically submit the minimum

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

set of NPDES data for the following notices, certifications, and waivers (if those reporting requirements are applicable):

- i) Notice of intent (NOI) to discharge by facilities seeking coverage under a general NPDES permit (rather than an individual NPDES permit), as described in 40 CFR 122.28(b)(2); and
 - ii) Notice of termination (NOT), as described in 40 CFR 122.64.
- C) An industrial user located in a municipality without an approved local pretreatment program must electronically submit the minimum set of NPDES data for the following self-monitoring reports (if those reporting requirements are applicable):
- i) Periodic reports on continued compliance, as described in Section 310.605; and
 - ii) Reporting requirements for industrial users not subject to categorical pretreatment standards, as described in Section 310.611.
- D) The minimum set of NPDES data for NPDES-regulated facilities is identified in appendix A to 40 CFR 127, incorporated by reference in Section 310.107.

BOARD NOTE: Subsection (b)(3) is derived from 40 CFR 127.11 ~~(2016)~~.

- 4) Signature and Certification Standards for Electronic Reporting. The signatory and certification requirements identified in subsection (a) and Section 310.631 also apply to electronic submissions of NPDES information (see subsection (b)(2)) by NPDES permittees, facilities, and entities subject to this subsection (b).

BOARD NOTE: Subsection (b)(4) is derived from 40 CFR 127.12 ~~(2016)~~.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 5) Requirements Regarding Quality Assurance and Quality Control-
- A) Responsibility for the quality of the information provided electronically in compliance with this subsection (b) by the NPDES permittees, facilities, and entities subject to this subsection (b) rests with the owners and operators of those facilities or entities. NPDES permittees, facilities, and entities subject to this subsection (b) must use quality assurance and quality control procedures to ensure the quality of the NPDES information submitted in compliance with this subsection (b).
- B) NPDES permittees, facilities, and entities subject to this subsection (b) must electronically submit their NPDES information in compliance with the data quality requirements specified in subsection (b)(6). NPDES permittees, facilities, and entities subject to this subsection (b) must electronically submit their NPDES information unless a waiver is granted in compliance with this subsection (b) (see subsections (b)(7) and (b)(7)(G)).

BOARD NOTE: Subsection (b)(5) is derived from 40 CFR 127.13 ~~(2016)~~.

- 6) Requirements Regarding Timeliness, Accuracy, Completeness, and National Consistency. NPDES permittees, facilities, and entities subject to this subsection (b) must comply with all requirements in this subsection (b) and electronically submit the minimum set of NPDES data in the following nationally-consistent manner:
- A) Timely. Electronic submissions of the minimum set of NPDES data to the appropriate initial recipient, as defined in subsection (b)(2), must be timely.
- i) Measurement Data (including information from discharge monitoring reports, self-monitoring data from industrial users located outside of approved local pretreatment programs, and similar self-monitoring data). The electronic submission of these data is due when that monitoring information is required to be reported in compliance with

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

statutes, regulations, the NPDES permit, another control mechanism, or an enforcement order.

- ii) Program Report Data. The electronic submission of this data is due when that program report data is required to be reported in compliance with statutes, regulations, the NPDES permit, another control mechanism, or an enforcement order.
- B) Accurate. Electronic submissions of the minimum set of NPDES data must be identical to the actual measurements taken by the owner or operator, or their duly authorized representative;
- C) Complete. Electronic submission of the minimum set of NPDES data must include all required data (see appendix A to 40 CFR 127, incorporated by reference in Section 310.107) and these electronic submissions must be sent to the NPDES data system of the initial recipient, as defined in subsection (b)(2); and
- D) Consistent. Electronic submissions of the minimum set of NPDES data must be compliant with USEPA data standards as set forth in this subsection (b) and in a form (including measurement units) fully compatible with USEPA's national NPDES data system.

BOARD NOTE: Subsection (b)(6) is derived from 40 CFR 127.14 ~~(2016)~~.

- 7) Waivers from Electronic Reporting-
 - A) NPDES permittees, facilities, and entities subject to this subsection (b) must electronically submit the minimum set of NPDES data in compliance with this Section and Section 310.631 unless a waiver is granted in compliance with this subsection (b)(7) and the procedures of subsection (b)(7)(G).
 - B) USEPA or the Board, by an adjusted standard or variance issued ~~underpursuant to~~ Section 28.1 or Sections 35 through 37 of the Act and Subpart D or B of 35 Ill. Adm. Code 104, to the extent that the State is authorized to administer a segment of the NPDES

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

program, may grant to an NPDES permittee, facility, or entity subject to this subsection (b) a temporary waiver from electronic reporting in compliance with this subsection (b)(7) and the procedures of subsection (b)(7)(G).

- i) Each temporary waiver must not extend beyond five years. However, NPDES-regulated entities may re-apply for a temporary waiver. It is the duty of the owner, operator, or duly authorized representative of the NPDES permittee, facility, and entity subject to this subsection (b) to re-apply for a new temporary waiver. The Board cannot grant a temporary waiver to an NPDES-regulated entity without first receiving a temporary waiver request from the NPDES-regulated entity.
- ii) To apply for a temporary waiver, the owner, operator, or duly authorized representative of the NPDES permittee, facility, and entity subject to this subsection (b) must submit the information listed in subsection (b)(7)(E) in the petition for temporary waiver.

BOARD NOTE: The Board moved the text of 40 CFR 127.15(b)(2)(i) through (b)(2)(vi) to appear as 35 Ill. Adm. Code 310.106(b)(7)(E)(i) through (b)(7)(E)(vi) to comport with codification requirements.

- iii) The Board will determine whether to grant a temporary waiver to the extent Illinois is authorized to administer the pertinent NPDES program area. The Board will provide notice to the owner, operator, or duly authorized facility representative submitting a temporary waiver request, in compliance with the requirements of subsection (b)(7)(G).
- iv) An NPDES permittee, facility, or entity subject to this subsection (b) that has received a temporary waiver must continue to provide the minimum set of NPDES data (as well as other required information in compliance with statutes, regulations, the NPDES permit, another control mechanism, or an enforcement order) in hard-copy format

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

to the authorized NPDES program. The Agency must electronically transfer these data to USEPA in accordance with subsection (b)(7)(G).

- v) An approved temporary waiver is not transferrable.
- C) USEPA or the Board, by an adjusted standard under Section pursuant to section 28.1 of the Act [415 ILCS 5/28.1] and Subpart D of 35 Ill. Adm. Code 104, to the extent that the State is authorized to administer a segment of the NPDES program, may grant to an NPDES permittee, facility, or entity subject to this subsection (b) a permanent waiver from electronic reporting in compliance with this subsection (b)(7) and the procedures of subsection (b)(7)(G).
- i) A permanent waiver is only available to a facility or entity that is owned or operated by members of a religious community that chooses not to use certain modern technologies (e.g., computers, electricity). The Board cannot grant a permanent waiver to an NPDES-regulated entity without first receiving a permanent waiver request from the NPDES-regulated entity.
 - ii) To apply for a permanent waiver, the owner, operator, or duly authorized representative of the NPDES permittee, facility, and entity subject to this subsection (b) must submit the information listed in subsection (b)(7)(E) in the petition for permanent waiver.
 - iii) An approved permanent waiver is not transferrable.
 - iv) An NPDES permittee, facility, or entity subject to this subsection (b) that has received a permanent waiver must continue to provide the minimum set of NPDES data (as well as other required information in compliance with statutes, regulations, the NPDES permit, another control mechanism, or an enforcement order) in hard-copy format to the authorized NPDES program. The Agency must

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

electronically transfer these data to USEPA in accordance with subsection (b)(7)(G).

D) The Agency, by a provisional variance ~~underpursuant to~~ Sections 35 through 37 of the Act and Subpart C of 35 Ill. Adm. Code 104, to the extent that the State is authorized to administer a segment of the NPDES program, may grant to an NPDES permittee, facility, or entity subject to this subsection (b) an episodic waiver from electronic reporting in compliance with subsections (b)(7)(G) and (b)(9). The following conditions apply to an episodic waiver:

- i) No waiver request from the NPDES permittee, facility or entity is required to obtain an episodic waiver from electronic reporting.
- ii) An episodic waiver is not transferrable.
- iii) An episodic waiver cannot last more than 60 days.

BOARD NOTE: Section 36(c) of the Act provides a maximum duration of 45 days for a provisional variance, allowing a single extension possible up to 45 days. No combination of a provisional variance and an extension can exceed 60 days in total duration under this subsection (b)(7)(D)(iii).

- iv) The Agency will decide if the episodic waiver provision allows facilities and entities to delay their electronic submissions or to send hardcopy (paper) submissions. An episodic waiver is only available to a facility or entity in the circumstances listed in subsection (b)(7)(F).

BOARD NOTE: The Board moved the text of 40 CFR 127.15(d)(4)(i) and (d)(4)(ii) to appear as 35 Ill. Adm. Code 310.106(b)(7)(F)(i) and (b)(7)(E)(ii) to comport with codification requirements.

E) The following information items must be included in any petition for a temporary or permanent waiver issued ~~underpursuant to~~ subsection (b)(7)(B) or (b)(7)(C):

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- i) The facility name;
- ii) The NPDES permit number (if applicable);
- iii) The facility address;
- iv) The name, address and contact information for the owner, operator, or duly authorized facility representative;
- v) A brief written statement regarding the basis for claiming such a temporary waiver; and
- vi) Any other information required by the Act or Board regulations (35 Ill. Adm. Code: Subtitle C, Chapter I).

BOARD NOTE: The Board moved the text of 40 CFR 127.15(b)(2)(i) through (b)(2)(vi) to appear as 35 Ill. Adm. Code 310.106(b)(7)(E)(i) through (b)(7)(E)(vi) to comport with codification requirements.

- F) A temporary waiver is limited to the following circumstances:
- i) A large-scale emergency involving catastrophic circumstances beyond the control of the facility, ~~likesuch as~~ a force of nature (e.g., a hurricane, flood, fire, or earthquake) or other national disaster. The Agency must make the determination of whether an episodic waiver is warranted in this case and must receive the hardcopy (paper) submissions.
 - ii) A prolonged electronic reporting system outage (i.e., an outage longer than 96 hours). The Agency must make the determination if an episodic waiver is warranted in this case and must receive the hardcopy (paper) submissions.

BOARD NOTE: The Board moved the text of 40 CFR 127.15(d)(4)(i) and (d)(4)(ii) to appear as 35 Ill. Adm.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Code 310.106(b)(7)(F)(i) and (b)(7)(F)(ii) to comport with codification requirements.

G) Procedural Requirements for Waivers.

- i) USEPA requires that the Board grant or deny a request for temporary or permanent waiver from electronic reporting in writing within 120 days after receiving the request.

BOARD NOTE: Subsection (b)(7)(G)(i) is derived from 40 CFR 127.24(a) and (b) ~~(2016)~~.

- ii) The Agency must provide notice of an episodic waiver individually or through means of mass communication ~~if~~ when an episodic waiver is available. The notice must state the facilities and entities that may use the episodic waiver, the likely duration of the episodic waiver, and any other directions regarding how facilities and entities should provide the minimum set of NPDES data (as well as other required information in compliance with statutes, regulations, the NPDES permit, another control mechanism, or an enforcement order) to the initial recipient, as defined in subsection (b)(2). No waiver request from the NPDES permittee, facility or entity is required to obtain an episodic waiver from electronic reporting. The Agency, when granting the episodic waiver, must determine whether to allow facilities and entities to delay their electronic submissions for a short time (i.e., no more than 40 days) or to have the facilities and entities send hardcopy (paper) submissions.

BOARD NOTE: Subsection (b)(7)(G)(ii) is derived from 40 CFR 127.24(d) ~~(2016)~~.

- iii) The Agency must electronically transfer to USEPA the minimum set of NPDES data (as defined in Section 310.106(b)(2)) that it receives from a permittee, facility, or entity that has received a waiver ~~underpursuant to~~ this subsection (b)(7).

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

BOARD NOTE: Subsection (b)(7)(G)(iii) is derived from 40 CFR 127.24(c)-(2016).

BOARD NOTE: Subsections (b)(7)(A) through (b)(7)(F) are derived from 40 CFR 127.15-(2016).

- 8) Implementation of Electronic Reporting Requirements for NPDES Permittees, Facilities, and Entities Subject to ~~This~~ Subsection (b):
- A) Scope and Schedule. An NPDES permittee, facility, or entity subject to this subsection (b), with the exception of those covered by waivers under subsection (b)(7), must electronically submit the following NPDES information (reports, notices, waivers, and certifications) after the ~~compliance deadlines~~~~start dates~~ listed in the following table.

NPDES Information	<u>Compliance</u> <u>Deadlines</u> Start Dates for Electronic Submissions
General Permit Reports Notices of Intent to Discharge, Notices of Termination, and Other Waivers	December 21, <u>2025</u> 2020
Discharge Monitoring Reports POTW Pretreatment Program Annual Reports (see Section 310.612.)	December 21, 2016 December 21, <u>2025</u> 2020
Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs (see Sections 310.605 and 310.611)	December 21, <u>2025</u> 2020

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

BOARD NOTE: EPA may approve an alternative compliance deadline for general permit reports and program reports in accordance with 40 CFR 127.24(e) and (f).

- B) Electronic Reporting Standards. An NPDES permittee, facility, or entity subject to this subsection (b) must electronically submit the information listed in the table in subsection (b)(8)(A) in compliance with this Section and Section 310.631.
- C) Initial Recipient. An NPDES permittee, facility, or entity subject to this subsection (b) must electronically submit the information listed in the table in subsection (b)(8)(A) to USEPA Region 5, the Control Authority, the Approval Authority, or the initial recipient (as identified ~~underpursuant to~~ 40 CFR 127.27 and defined in subsection (b)(2)). USEPA was to identify and publish the initial recipient on a USEPA website and in the Federal Register, by state and by NPDES data group (see subsection (b)(7)).

BOARD NOTE: The procedure by which USEPA determines the initial recipient is 40 CFR 127.27. That procedure provides that USEPA is the initial recipient ~~if~~ where the State is not approved by USEPA to act as initial recipient.

- D) Standards for NPDES-Regulated Entities with Electronic Reporting Waivers. An NPDES permittee, facility, or entity subject to this subsection (b) that has received a waiver from electronic reporting must continue to provide the minimum set of NPDES data (as well as other required information in compliance with statutes, regulations, the NPDES permit, another control mechanism, or an enforcement order) to the Agency or initial recipient (see subsection (b)(7)).

BOARD NOTE: Subsection (b)(8) is derived from 40 CFR 127.16 ~~(2016)~~.

- 9) Inclusion of Electronic Reporting Requirements in NPDES Permits. All permits issued by the Agency must contain permit conditions requiring compliance with the electronic reporting requirements in this Section. An NPDES-regulated facility already having an electronic reporting

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

requirement in its permit that meets the requirements in this Section must continue its electronic reporting to the initial recipient.

BOARD NOTE: Subsection (b)(9) is derived from 40 CFR 127.26(f) (~~2016~~).

(Source: Amended at 45 Ill. Reg. 8061, effective June 21, 2021)

Section 310.107 Incorporations by Reference

- a) The following publications are incorporated by reference for the purposes of this Part and 35 Ill. Adm. Code 307:

Combined Sewer Overflow (CSO) Control Policy (April 1994) (USEPA document number EPA-830-B-94-001), available from National Service Center for Environmental Publications (NSCEP), P.O. Box 42419, Cincinnati, OH 45242-0419, 800-490-9198 or online for download in an electronic format at <http://nepis.epa.gov/EPA/html/pubindex.html>, referenced in Section 310.320.

BOARD NOTE: USEPA published the Combined Sewer Overflow (CSO) Control Policy in the Federal Register at 59 Fed. Reg. 18688 (Apr. 19, 1994).

Standard Industrial Classification Manual (1987) (document no. PB87-100012) (referred to as "1987 SIC Manual"), available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, referenced in 35 Ill. Adm. Code 307.2201, 307.2400, 307.2402 through 307.2407, and 307.3901 and Section 310.602.

BOARD NOTE: The 1987 SIC Manual is available for online search through the U.S. Department of Labor, at http://www.osha.gov/pls/imis/sic_manual.html. In 1997, the federal Office of Management and Budget (OMB) announced that the North American Industry Classification System (NAICS) was replacing the SIC (62 Fed. Reg. 17288 (Apr. 9, 1997)) for statistical purposes. OMB announced adoption of a 2012 edition of NAICS (76 Fed. Reg. 51240 (Aug. 17, 2011)). The 1997 NAICS Manual is available for online search or purchase (as electronic or hard copy) at <http://www.naics.com>. Until USEPA amends its regulations to change references to SIC codes to references to NAICS codes, the Board will continue to use the 1987 SIC codes.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- b) The following provisions of the Code of Federal Regulations are incorporated by reference for the purposes of this Part and 35 Ill. Adm. Code 307:

40 CFR 2.302 ~~(2020)(2019)~~ (Special Rules Governing Certain Information Obtained Under the Clean Water Act), referenced in Section 310.105.

40 CFR 3.2 ~~(2020)(2019)~~ (How Does This Part Provide for Electronic Reporting?), referenced in Section 310.106.

40 CFR 3.3 ~~(2020)(2019)~~ (What Definitions Are Applicable to This Part?), referenced in Section 310.106.

40 CFR 3.10 ~~(2020)(2019)~~ (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 310.106.

40 CFR 3.2000 ~~(2020)(2019)~~ (What Are the Requirements Authorized State, Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in Section 310.106.

40 CFR 25 ~~(2020)(2019)~~ (Public Participation in Programs Under the Resource Conservation and Recovery Act, the Safe Drinking Water Act, and the Clean Water Act), referenced in Section 310.510.

Tables II (Organic Toxic Pollutants in Each of Four Fractions in Analysis by Gas Chromatography/Mass Spectroscopy (GS/MS)) and III (Other Toxic Pollutants (Metals and Cyanide) and Total Phenols) in appendix D to 40 CFR 122 ~~(2020)(2019)~~ (NPDES Permit Application Testing Requirements), referenced in 35 Ill. Adm. Code 307.1005.

40 CFR 122.23(b) and (c) ~~(2020)(2019)~~ (Concentrated Animal Feeding Operations), referenced in 35 Ill. Adm. Code 307.2201.

Appendix A to 40 CFR 127 ~~(2020)(2019)~~, as amended at 85 Fed. Reg. ~~69189 (Nov. 2, 2020)20873 (Apr. 14, 2020)~~ (Minimum Set of NPDES Data), referenced in Sections 310.106 and 310.612.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

BOARD NOTE: Only those segments relevant to electronic reporting under the wastewater pretreatment program (NPDES data groups 1, 2, 3, 7, and 8) are intended.

40 CFR 136 ~~(2020)~~(2019) (Guidelines Establishing Test Procedures for the Analysis of Pollutants), referenced in 35 Ill. Adm. Code 307.1003 and 307.6500 and Sections 310.605, 310.610, and 310.611.

40 CFR 401.15 ~~(2020)~~(2019) (Toxic Pollutants), referenced in 35 Ill. Adm. Code 307.1005.

40 CFR 403 ~~(2020)~~(2019) (General Pretreatment Regulations for Existing and New Sources of Pollution), referenced in Section 310.432.

40 CFR 403.12(b) ~~(2020)~~(2019) (Reporting Requirements for POTWs and Industrial Users), referenced in Section 310.602.

40 CFR 403.15 ~~(2020)~~(2019) (Net/Gross Calculation), referenced in Section 310.801.

Appendix D to 40 CFR 403 ~~(2020)~~(2019) (Selected Industrial Subcategories Considered Dilute for Purposes of the Combined Wastestream Formula), referenced in Section 310.233.

Appendix G to 40 CFR 403 ~~(2020)~~(2019) (Pollutants Eligible for a Removal Credit), referenced in Section 310.303.

40 CFR 503 ~~(2020)~~(2019) (Standards for the Use or Disposal of Sewage Sludge), referenced in Section 310.303.

- c) The following federal statutes are incorporated by reference:

Section 1001 of federal Crimes and Criminal Procedure (18 USC 1001 ~~(2019)~~(2018)), referenced in Section 310.633.

The federal Clean Water Act (CWA) (33 USC 1251 et seq. ~~(2019)~~(2018)), referenced in Sections 310.110 and 310.705.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 204(b) of the federal Clean Water Act (33 USC 1284(b) ~~(2019)(2018)~~), referenced in Section 310.510.

Section 212(2) of the federal Clean Water Act (33 USC 1292(2) ~~(2019)(2018)~~), referenced in Section 310.110.

Section 307(b), (c), and (d) of the federal Clean Water Act (33 USC 1317(b), (c), and (d) ~~(2019)(2018)~~), referenced in Section 310.110.

Section 308 of the federal Clean Water Act (33 USC 1318 ~~(2019)(2018)~~), referenced in Section 310.510.

Section 309(c)(4) of the federal Clean Water Act (33 USC 1319(c)(4) ~~(2019)(2018)~~), referenced in Section 310.633.

Section 309(c)(6) of the federal Clean Water Act (33 USC 1319(c)(6) ~~(2019)(2018)~~), referenced in Section 310.633.

Section 405 of the federal Clean Water Act (33 USC 1345 ~~(2019)(2018)~~), referenced in Section 310.510.

Subtitles C and D of the federal Resource Conservation and Recovery Act (42 USC 6921-6939g and 6941-6949a) ~~(2019)(2018)~~, referenced in Section 310.510.

- d) This Part incorporates no future editions or amendments.

BOARD NOTE: The Board has located the incorporations by reference for the purposes of this Part and the more general incorporations by reference for the purposes of 35 Ill. Adm. Code 307 in this Section to aid future review and updates. The Board has located the incorporations by reference of the federal categorical standards scattered throughout 35 Ill. Adm. Code 307 at the segments appropriate to each individual categorical standard. This aids future review and updates of the categorical standards.

(Source: Amended at 45 Ill. Reg. 8061, effective June 21, 2021)

SUBPART F: REPORTING REQUIREMENTS

Section 310.605 Periodic Reports on Compliance

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- a) After the compliance date of a pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, any industrial user subject to a categorical pretreatment standard (except a non-significant categorical user, as defined in Section 310.110) must submit to the Control Authority a report indicating the nature and concentration of pollutants in the effluent that are limited by the categorical pretreatment standards. The industrial user must submit the report during the months of June and December, unless the Control Authority or the pretreatment standard requires more frequent reporting. In addition, this report must include a record of measured or estimated average and maximum daily flows for the reporting period for the discharge reported in Section 310.602(d), except that the Control Authority may require more detailed reporting of flows. If the pretreatment standard requires compliance with a best management practice (or pollution prevention alternative), the industrial user ~~must~~ submit documentation required by the Control Authority or the pretreatment standard necessary to determine the compliance status of the industrial user. In consideration of ~~those~~ factors as local high or low flow rates, holidays, budget cycles, etc., the Control Authority may alter the months during which the reports required by this subsection (a) are to be submitted. For an industrial user for which USEPA or the Agency is the Control Authority, as of December 21, ~~2025~~ or a USEPA-approved alternative date (see 40 CFR 127.24(e) or (f))2020, all reports submitted in compliance with this Subpart F must be submitted electronically by the industrial user to the Control Authority or initial recipient, as defined in Section 310.106(b)(2), in compliance with this Subpart F and Section 310.106.
- b) The Control Authority must authorize the industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if it determines that the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge or that the pollutant is present only at background levels from intake water and without any increase in the pollutant due to activities of the industrial user. This authorization is subject to the following conditions:
- 1) The Control Authority may authorize a waiver only ~~if~~ where it determines that a pollutant is present solely due to sanitary wastewater discharged from the facility, provided that the sanitary wastewater is not regulated by

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

an applicable categorical standard, and the sanitary wastewater otherwise includes no process wastewater;

- 2) The monitoring waiver is valid only for the duration of the effective period of the permit or other equivalent individual control mechanism, but in no case longer than five years. The industrial user must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism;
- 3) In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes. The request for a monitoring waiver must be signed in accordance with Section 310.631 and include the certification statement in Section 310.221(b)(2). Non-detectable sample results may only be used as a demonstration that a pollutant is not present only if the USEPA-approved method from 40 CFR 136, incorporated by reference in Section 310.107, with the lowest minimum detection level for that pollutant was used in the analysis;
- 4) Any grant of a monitoring waiver by the Control Authority must be included as a condition in the industrial user's control mechanism. The reasons supporting the waiver and any information submitted by the industrial user in its request for the waiver must be maintained by the Control Authority for three years after expiration of the waiver;
- 5) Upon approval of the monitoring waiver and revision of the industrial user's control mechanism by the Control Authority, the industrial user must certify on each report with the statement below, that there has been no increase in the pollutant in its wastestream due to activities of the industrial user:

Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for Subpart [Subpart number of the applicable national pretreatment standard] of 35 Ill. Adm. Code 307, I certify that, to the best of my knowledge and belief, there has been no increase in the level of [list pollutants] in the wastewaters due to the activities at the

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

facility since filing of the last periodic report under 35 Ill. Adm. Code 310.605(a);

- 6) In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the industrial user's operations, the industrial user must immediately comply with the monitoring requirements of subsection (a) or other more frequent monitoring requirements imposed by the Control Authority, and the industrial user must notify the Control Authority; and
 - 7) This subsection (b) does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.
- c) If/Where the Control Authority has imposed mass limitations on industrial users as provided by Section 310.232, the report required by subsection (a) of this Section must indicate the mass of pollutants regulated by pretreatment standards in the discharge from the industrial user.
 - d) For industrial users subject to equivalent mass or concentration limits established by the Control Authority in accordance with the procedures in Section 310.230, the report required by subsection (a) must contain a reasonable measure of the user's long-term production rate. For all other industrial users subject to categorical pretreatment standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report required by subsection (a) must include the user's actual average production rate for the reporting period.

BOARD NOTE: Derived from 40 CFR 403.12(e) ~~(2016)~~.

(Source: Amended at 45 Ill. Reg. 8061, effective June 21, 2021)

Section 310.611 Requirements for Non-Categorical Users

The Control Authority must require appropriate reporting from those industrial users with discharges that are not subject to categorical pretreatment standards. Significant non-categorical industrial users must submit to the Control Authority at least once every six months (on dates specified by the Control Authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the Control Authority. If/in cases where a local limit

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

requires compliance with a best management practice or pollution prevention alternative, the industrial user must submit documentation required by the Control Authority to determine the compliance status of the industrial user. These reports must be based on sampling and analysis performed in the period covered by the report and in accordance with the techniques described in 40 CFR 136, incorporated by reference at Section 310.107. For the purposes of this Section, "significant non-categorical industrial user" means a significant industrial user that is not subject to categorical pretreatment standards. For an industrial user for which USEPA or the Agency is the Control Authority, as of December 21, [2025 or a USEPA-approved alternative date \(see 40 CFR 127.24\(e\) or \(f\)\)](#)~~2020~~, all reports submitted in compliance with this Subpart F must be submitted electronically by the industrial user to the Control Authority or initial recipient, as defined in Section 310.106(b)(2), in compliance with this Subpart F and Section 310.106.

BOARD NOTE: Derived from 40 CFR 403.12(h)~~(2016)~~.

(Source: Amended at 45 Ill. Reg. 8061, effective June 21, 2021)

Section 310.612 Annual POTW Reports

POTWs with approved pretreatment programs must provide the Approval Authority with a report that briefly describes the POTW's program activities, including activities of all participating agencies, if more than one jurisdiction is involved in the local program. The report required by this Section must be submitted no later than one year after approval of the POTW's pretreatment program and at least annually thereafter. The report must include, at a minimum, the applicable required data in appendix A to 40 CFR 127, incorporated by reference in Section 310.107. The report required by this Subpart F must also include a summary of changes to the POTW's pretreatment program that have not been previously reported to the Approval Authority and any other relevant information requested by the Approval Authority. As of December 21, [2025 or a USEPA-approved alternative date \(see 40 CFR 127.24\(e\) or \(f\)\)](#)~~2020~~, all annual reports submitted in compliance with this Subpart F must be submitted electronically by the POTW pretreatment program to the Approval Authority or initial recipient, as defined in Section 310.106(b)(2), in compliance with this Subpart F and Section 310.106.

BOARD NOTE: Derived from 40 CFR 403.12(i)~~(2016)~~.

(Source: Amended at 45 Ill. Reg. 8061, effective June 21, 2021)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Hospital Licensing Requirements
- 2) Code Citation: 77 Ill. Adm. Code 250
- 3) Section Number: 250.4 Emergency Action:
New Section
- 4) Statutory Authority: Hospital Licensing Act [210 ILCS 85]
- 5) Effective Date of Emergency Rule: June 15, 2021
- 6) If this emergency rulemaking is to expire before the end of the 150-day period, please specify the date on which they are to expire: The emergency amendment will expire at the end of the 150-day period.
- 7) Date Filed with the Index Department: June 15, 2021
- 8) A copy of the emergency rulemaking, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: This emergency amendment is adopted to implement a provision in P.A. 102-0004, which was signed into law on April 27, 2021. P.A. 102-0004 adds a new Section to the Hospital Licensing Act, Section 6.28, that mandates hospitals to provide N95 masks to licensed physicians, registered and advanced practice registered nurses, and any other employees or contractual workers who are recommended to wear an N95 mask when providing direct patient care. Section 6.28 contains an automatic repeal date of December 31, 2021, making it imperative that the Department implement this provision as quickly as possible through emergency rulemaking.

Section 5-45 of the Illinois Administrative Procedure Act [5 ILCS 100/5-45] defines "emergency" as "the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare." Both the COVID-19 outbreak in Illinois and the need to protect direct care providers in a hospital setting is a significant public health crisis that warrants this emergency amendment.
- 10) A Complete Description of the Subject and Issues: This emergency amendment adds a new Section to the Hospital Licensing Requirements, Section 250.4, that, pursuant to

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

P.A. 102-0004, requires hospitals to provide N95 masks to licensed and non-licensed direct care providers.

- 11) Are there any other rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking will not create or expand a State mandate.
- 13) Information and questions regarding this emergency rule shall be directed to:

Department of Public Health
Attention: Tracey Trigillo, Rules Coordinator
Lincoln Plaza
524 South 2nd Street, 6th Floor
Springfield IL 62701

217/782-1159
dph.rules@illinois.gov

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIESPART 250
HOSPITAL LICENSING REQUIREMENTS

SUBPART A: GENERAL PROVISIONS

Section

- 250.1 COVID-19 Emergency Provisions
EMERGENCY
- 250.2 COVID-19 Emergency Provisions for Hospitals and Alternate Care Facilities
EMERGENCY
- 250.3 COVID-19 Emergency Provisions - At-Home Patient Care
EMERGENCY
- [250.4](#) [N95 Masks](#)
[EMERGENCY](#)
- 250.100 Definitions
- 250.105 Incorporated and Referenced Materials
- 250.110 Application for and Issuance of Permit to Establish a Hospital
- 250.120 Application for and Issuance of a License to Operate a Hospital
- 250.130 Administration by the Department
- 250.140 Hearings
- 250.150 Definitions (Renumbered)
- 250.160 Incorporated and Referenced Materials (Renumbered)

SUBPART B: ADMINISTRATION AND PLANNING

Section

- 250.210 The Governing Board
- 250.220 Accounting
- 250.230 Planning
- 250.240 Admission and Discharge
- 250.245 Failure to Initiate Criminal Background Checks
- 250.250 Visiting Rules
- 250.260 Patients' Rights
- 250.265 Language Assistance Services

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

250.270	Manuals of Procedure
250.280	Agreement with Designated Organ Procurement Agencies
250.285	Smoking Restrictions
250.290	Safety Alert Notifications

SUBPART C: THE MEDICAL STAFF

Section	
250.310	Organization
250.315	House Staff Members
250.320	Admission and Supervision of Patients
250.330	Orders for Medications and Treatments
250.340	Availability for Emergencies

SUBPART D: PERSONNEL SERVICE

Section	
250.410	Organization
250.420	Personnel Records
250.430	Duty Assignments
250.435	Health Care Worker Background Check
250.440	Education Programs
250.445	Workplace Violence Prevention Program
250.450	Personnel Health Requirements
250.460	Benefits

SUBPART E: LABORATORY

Section	
250.510	Laboratory Services
250.520	Blood and Blood Components
250.525	Designated Blood Donor Program
250.530	Proficiency Survey Program (Repealed)
250.540	Laboratory Personnel (Repealed)
250.550	Western Blot Assay Testing Procedures (Repealed)

SUBPART F: RADIOLOGICAL SERVICES

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

Section

- 250.610 General Diagnostic Procedures and Treatments
- 250.620 Radioactive Isotopes
- 250.630 General Policies and Procedures Manual

SUBPART G: GENERAL HOSPITAL EMERGENCY SERVICES

Section

- 250.710 Classification of Emergency Services
- 250.720 General Requirements
- 250.725 Notification of Emergency Personnel
- 250.730 Community or Areawide Planning
- 250.740 Disaster and Mass Casualty Program
- 250.750 Medical Forensic Services for Sexual Assault Survivors

SUBPART H: RESTORATIVE AND REHABILITATION SERVICES

Section

- 250.810 Applicability of Other Parts of These Requirements
- 250.820 General
- 250.830 Classifications of Restorative and Rehabilitation Services
- 250.840 General Requirements for all Classifications
- 250.850 Specific Requirements for Comprehensive Physical Rehabilitation Services
- 250.860 Medical Direction
- 250.870 Nursing Care
- 250.880 Additional Allied Health Services
- 250.890 Animal-Assisted Therapy

SUBPART I: NURSING SERVICE AND ADMINISTRATION

Section

- 250.910 Nursing Services
- 250.920 Organizational Plan
- 250.930 Role in hospital planning
- 250.940 Job descriptions
- 250.950 Nursing committees
- 250.960 Specialized nursing services
- 250.970 Nursing Care Plans

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

250.980	Nursing Records and Reports
250.990	Unusual Incidents
250.1000	Meetings
250.1010	Education Programs
250.1020	Licensure
250.1030	Policies and Procedures
250.1035	Domestic Violence Standards
250.1040	Patient Care Units
250.1050	Equipment for Bedside Care
250.1060	Drug Services on Patient Unit
250.1070	Care of Patients
250.1075	Use of Restraints
250.1080	Admission Procedures Affecting Care
250.1090	Sterilization and Processing of Supplies
250.1100	Infection Control
250.1110	Mandatory Overtime Prohibition
250.1120	Staffing Levels
250.1130	Nurse Staffing by Patient Acuity

SUBPART J: SURGICAL AND RECOVERY ROOM SERVICES

Section	
250.1210	Surgery
250.1220	Surgery Staff
250.1230	Policies & Procedures
250.1240	Surgical Privileges
250.1250	Surgical Emergency Care
250.1260	Operating Room Register and Records
250.1270	Surgical Patients
250.1280	Equipment
250.1290	Safety
250.1300	Operating Room
250.1305	Visitors in Operating Room
250.1310	Cleaning of Operating Room
250.1320	Postanesthesia Care Units

SUBPART K: ANESTHESIA SERVICES

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

Section
250.1410 Anesthesia Service

SUBPART L: RECORDS AND REPORTS

Section
250.1510 Medical Records
250.1520 Reports

SUBPART M: FOOD SERVICE

Section
250.1610 Dietary Department Administration
250.1620 Facilities
250.1630 Menus and Nutritional Adequacy
250.1640 Diet Orders
250.1650 Frequency of Meals
250.1660 Therapeutic (Modified) Diets
250.1670 Food Preparation and Service
250.1680 Sanitation

SUBPART N: HOUSEKEEPING AND LAUNDRY SERVICES

Section
250.1710 Housekeeping
250.1720 Garbage, Refuse and Solid Waste Handling and Disposal
250.1730 Insect and Rodent Control
250.1740 Laundry Service
250.1750 Soiled Linen
250.1760 Clean Linen

SUBPART O: OBSTETRIC AND NEONATAL SERVICE

Section
250.1810 Applicability of Other Provisions of this Part
250.1820 Obstetric and Neonatal Service (Perinatal Service)
250.1830 General Requirements for All Obstetric Departments
250.1840 Discharge of Newborn Infants from Hospital

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- 250.1845 Caesarean Birth
- 250.1850 Single Room Postpartum Care of Mother and Infant
- 250.1860 Special Programs (Repealed)
- 250.1870 Labor, Delivery, Recovery and Postpartum Care

SUBPART P: ENGINEERING AND MAINTENANCE OF THE PHYSICAL PLANT, SITE,
EQUIPMENT, AND SYSTEMS – HEATING, COOLING, ELECTRICAL, VENTILATION,
PLUMBING, WATER, SEWER, AND SOLID WASTE DISPOSAL

Section

- 250.1910 Maintenance
- 250.1920 Emergency electric service
- 250.1930 Water Supply
- 250.1940 Ventilation, Heating, Air Conditioning, and Air Changing Systems
- 250.1950 Grounds and Buildings Shall be Maintained
- 250.1960 Sewage, Garbage, Solid Waste Handling and Disposal
- 250.1970 Plumbing
- 250.1980 Fire and Safety

SUBPART Q: CHRONIC DISEASE HOSPITALS

Section

- 250.2010 Definition
- 250.2020 Requirements

SUBPART R: PHARMACY OR DRUG AND MEDICINE SERVICE

Section

- 250.2110 Service Requirements
- 250.2120 Personnel Required
- 250.2130 Facilities for Services
- 250.2140 Pharmacy and Therapeutics Committee

SUBPART S: PSYCHIATRIC SERVICES

Section

- 250.2210 Applicability of other Parts of these Regulations
- 250.2220 Establishment of a Psychiatric Service

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

250.2230	The Medical Staff
250.2240	Nursing Service
250.2250	Allied Health Personnel
250.2260	Staff and Personnel Development and Training
250.2270	Admission, Transfer and Discharge Procedures
250.2280	Care of Patients
250.2290	Special Medical Record Requirements for Psychiatric Hospitals and Psychiatric Units of General Hospitals or General Hospitals Providing Psychiatric Care
250.2300	Diagnostic, Treatment and Physical Facilities and Services

SUBPART T: DESIGN AND CONSTRUCTION STANDARDS

Section

250.2410	Applicability of these Standards
250.2420	Submission of Plans for New Construction, Alterations or Additions to Existing Facility
250.2430	Preparation of Drawings and Specifications – Submission Requirements
250.2440	General Hospital Standards
250.2442	Fees
250.2443	Advisory Committee
250.2450	Details
250.2460	Finishes
250.2470	Structural
250.2480	Mechanical
250.2490	Plumbing and Other Piping Systems
250.2500	Electrical Requirements

SUBPART U: CONSTRUCTION REQUIREMENTS FOR EXISTING HOSPITALS

Section

250.2610	Applicability of Subpart U
250.2620	Codes and Standards
250.2630	Existing General Hospital Requirements
250.2640	Details
250.2650	Finishes
250.2660	Mechanical
250.2670	Plumbing and Other Piping Systems
250.2680	Electrical Requirements

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

SUBPART V: SPECIAL CARE AND/OR SPECIAL SERVICE UNITS

Section

250.2710 Special Care and/or Special Service Units

250.2720 Day Care for Mildly Ill Children

SUBPART W: ALCOHOLISM AND INTOXICATION TREATMENT SERVICES

Section

250.2810 Applicability of Other Parts of These Requirements

250.2820 Establishment of an Alcoholism and Intoxication Treatment Service

250.2830 Classification and Definitions of Service and Programs

250.2840 General Requirements for all Hospital Alcoholism Program Classifications

250.2850 The Medical and Professional Staff

250.2860 Medical Records

250.2870 Referral

250.2880 Client Legal and Human Rights

250.APPENDIX A Codes and Standards (Repealed)

250.EXHIBIT A Codes (Repealed)

250.EXHIBIT B Standards (Repealed)

250.EXHIBIT C Addresses of Sources (Repealed)

250.ILLUSTRATION A Seismic Zone Map

250.TABLE A Measurements Essential for Level I, II, III Hospitals

250.TABLE B Sound Transmission Limitations in General Hospitals

250.TABLE C Filter Efficiencies for Central Ventilation and Air Conditioning Systems in General Hospitals (Repealed)

250.TABLE D General Pressure Relationships and Ventilation of Certain Hospital Areas (Repealed)

250.TABLE E Piping Locations for Oxygen, Vacuum and Medical Compressed Air

250.TABLE F General Pressure Relationships and Ventilation of Certain Hospital Areas

250.TABLE G Insulation/Building Perimeter

AUTHORITY: Implementing and authorized by the Hospital Licensing Act [210 ILCS 85].

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 6, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7835 and 7838, effective June 17, 1982; amended at 7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5221, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6964, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 19752; amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4802, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 15080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328, effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective September 15, 1995; emergency amendment at 20 Ill. Reg. 474, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 3234, effective February 15, 1996; amended at 20 Ill. Reg. 10009, effective July 15, 1996; amended at 22 Ill. Reg. 3932, effective February 13, 1998; amended at 22 Ill. Reg. 9342, effective May 20, 1998; amended at 23 Ill. Reg. 1007, effective January 15, 1999; emergency amendment at 23 Ill. Reg. 3508, effective March 4, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9513, effective August 1, 1999; amended at 23 Ill. Reg. 13913, effective November 15, 1999; amended at 24 Ill. Reg. 6572, effective April 11, 2000; amended at 24 Ill. Reg. 17196, effective November 1, 2000; amended at 25 Ill. Reg. 3241, effective February 15, 2001; amended at 27 Ill. Reg. 1547, effective January 15, 2003; amended at 27 Ill. Reg. 13467, effective July 25, 2003; amended at 28 Ill. Reg. 5880, effective March 29, 2004; amended at 28 Ill. Reg. 6579, effective April 15, 2004; amended at 29 Ill. Reg. 12489, effective July 27, 2005; amended at 31 Ill. Reg. 4245, effective February 20, 2007; amended at 31 Ill. Reg. 14530, effective October 3, 2007; amended at 32 Ill. Reg. 3756, effective February 27, 2008; amended at 32 Ill. Reg. 4213, effective March 10, 2008; amended at 32 Ill. Reg. 7932, effective May 12, 2008; amended at 32 Ill. Reg. 14336, effective August 12, 2008; amended at 33 Ill. Reg. 8306, effective June 2, 2009; amended at 34 Ill. Reg. 2528, effective January 27, 2010; amended at 34 Ill. Reg. 3331, effective February 24,

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

2010; amended at 34 Ill. Reg. 19031, effective November 17, 2010; amended at 34 Ill. Reg. 19158, effective November 23, 2010; amended at 35 Ill. Reg. 4556, effective March 4, 2011; amended at 35 Ill. Reg. 6386, effective March 31, 2011; amended at 35 Ill. Reg. 13875, effective August 1, 2011; amended at 36 Ill. Reg. 17413, effective December 3, 2012; amended at 38 Ill. Reg. 13280, effective June 10, 2014; amended at 39 Ill. Reg. 5443, effective March 25, 2015; amended at 39 Ill. Reg. 13041, effective September 3, 2015; amended at 41 Ill. Reg. 7154, effective June 12, 2017; amended at 41 Ill. Reg. 14945, effective November 27, 2017; amended at 42 Ill. Reg. 9507, effective May 24, 2018; amended at 43 Ill. Reg. 3889, effective March 18, 2019; amended at 43 Ill. Reg. 12990, effective October 22, 2019; emergency amendment at 44 Ill. Reg. 5934, effective March 25, 2020, for a maximum of 150 days; emergency expired August 21, 2020; emergency amendment at 44 Ill. Reg. 7788, effective April 16, 2020, for a maximum of 150 days; emergency repeal of emergency amendment at 44 Ill. Reg. 14333, effective August 24, 2020; emergency amendment at 44 Ill. Reg. 14804, effective August 24, 2020, for a maximum of 150 days; emergency expired January 20, 2021; amended at 44 Ill. Reg. 18379, effective October 29, 2020; emergency amendment at 45 Ill. Reg. 1202, effective January 8, 2021, for a maximum of 150 days; emergency amendment expired June 6, 2021; emergency amendment at 45 Ill. Reg. 1715, effective January 21, 2021, for a maximum of 150 days; emergency amendment at 45 Ill. Reg. 7544, effective June 7, 2021, for a maximum of 150 days; emergency amendment at 45 Ill. Reg. 8096, effective June 15, 2021, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 250.4 N95 Masks
EMERGENCY

- a) Pursuant to and in accordance with applicable local, State, and federal policies, guidance and recommendations of public health and infection control authorities, and taking into consideration the limitations on access to N95 masks caused by disruptions in local, State, national, and international supply chains, a hospital licensed under the Act shall provide N95 masks to physicians licensed under the Medical Practice Act of 1987, registered nurses and advanced practice registered nurses licensed under the Nurse Practice Act, and any other employees or contractual workers who provide direct patient care and who, pursuant to such policies, guidance, and recommendations, are recommended to have such a mask to safely provide direct patient care within a hospital setting.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- b) Nothing in the Act or this Section shall be construed to impose any new duty or obligation on the hospital or employee that is greater than that imposed under State and federal laws in effect on April 27, 2021. (Section 6.28 of the Act)

(Source: Added by emergency rulemaking at 45 Ill. Reg. 8096, effective June 15, 2021, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Health Care Worker Background Check Code
- 2) Code Citation: 77 Ill. Adm. Code 955
- 3) Section Number: 955.1 Emergency Action:
New Section
- 4) Statutory Authority: Implementing and authorized by the Health Care Worker Background Check Act [225 ILCS 46]
- 5) Effective Date of Rule: June 20, 2021
- 6) If this emergency rulemaking is to expire before the end of the 150-day period, please specify the date on which they are to expire: The emergency amendment will expire June 26, 2021
- 7) Date Filed with the Index Department: June 17, 2021
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: This emergency amendment is adopted in response to Governor JB Pritzker's Gubernatorial Disaster Proclamations issued during 2021 related to COVID-19.

Section 5-45 of the Illinois Administrative Procedure Act [5 ILCS 100/5-45] defines "emergency" as "the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare."

- 10) A Complete Description of the Subject and Issues: This emergency amendment temporarily suspends the provisions of the Health Care Worker Background Check Act that prohibit an individual from being hired to work as a CNA if they have been inactive on the Department's Health Care Worker Registry.

Additionally, the emergency amendment allows for military personnel with medic training to serve as CNAs and allows CNAs who have been certified or licensed in another state to work in Illinois during the duration of the disaster proclamations. The Executive Order authorizing these suspensions has been renewed through June 26, 2021.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- 11) Are there any other rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking will not create or expand a State mandate.
- 13) Information and questions regarding this emergency rulemaking shall be directed to:

Department of Public Health
Attention: Tracey Trigillo, Rules Coordinator
Lincoln Plaza
524 South 2nd Street, 6th Floor
Springfield IL 62701

217/782-1159
dph.rules@illinois.gov

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER u: MISCELLANEOUS PROGRAMS AND SERVICESPART 955
HEALTH CARE WORKER BACKGROUND CHECK CODE

Section

955.1 COVID-19 Emergency ProvisionsEMERGENCY

- 955.100 Applicability
- 955.110 Definitions
- 955.115 Initiation of Fingerprint-Based Criminal History Records Checks as a Fee
Applicant Inquiry
- 955.120 Incorporated and Referenced Materials
- 955.130 Exceptions
- 955.135 Contracted or Subcontracted Workers
- 955.140 Policies Defining Employee Work Positions
- 955.145 Employment Verification
- 955.150 Employment Prohibition
- 955.160 Disqualifying Offenses
- 955.165 Fingerprint-Based Criminal History Records Check
- 955.170 Non-Fingerprint-Based UCIA Criminal History Records Check (Repealed)
- 955.180 Criminal History Records Checks after Implementation
- 955.190 Notification to Student, Applicant, or Employee
- 955.200 Submission of Criminal History Records Check Results to Nurse Aide Registry
(Repealed)
- 955.210 Offer of Permanent Employment
- 955.220 Health Care Employer Files
- 955.230 Invalid Non-Fingerprint-Based Records Check (Repealed)
- 955.240 Fingerprint-Based UCIA Criminal History Records Check (Repealed)
- 955.250 Additional Conviction (Repealed)
- 955.260 Application for Waiver
- 955.270 Department Review of Waiver Application
- 955.275 Rehabilitation Waiver
- 955.280 Employment Pending Waiver
- 955.285 Livescan Vendor Authorization

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

955.290	Recovery of Back Pay
955.300	Health Care Worker Registry
955.310	Department Findings of Abuse, Neglect, or Misappropriation of Property
955.320	Removal from Registry of a Department Finding of Neglect
955.APPENDIX A	Offenses that Are Always Disqualifying Except Through the Appeal Process
955.APPENDIX B	Disqualifying Offenses that May Be Considered for a Rehabilitation Waiver
955.APPENDIX C	Disqualifying Offenses that May Be Considered for a Waiver by the Submission of a Waiver Application

AUTHORITY: Implementing and authorized by the Health Care Worker Background Check Act [225 ILCS 46].

SOURCE: Adopted at 28 Ill. Reg. 14133, effective October 15, 2004; amended at 33 Ill. Reg. 5378, effective March 26, 2009; amended at 43 Ill. Reg. 3665, effective March 1, 2019; emergency amendment at 44 Ill. Reg. 5951, effective March 25, 2020, for a maximum of 150 days; emergency expired August 21, 2020; emergency amendment at 44 Ill. Reg. 6597, effective April 10, 2020, for a maximum of 150 days; emergency expired September 6, 2020; emergency amendment at 44 Ill. Reg. 14355, effective August 24, 2020, for a maximum of 150 days; emergency expired January 20, 2021; amended at 44 Ill. Reg. 18422, effective October 29, 2020; emergency amendment at 45 Ill. Reg. 1738, effective January 21, 2021, for a maximum of 150 days; emergency amendment at 45 Ill. Reg. 8109, effective June 20, 2021 through June 26, 2021.

Section 955.1 COVID-19 Emergency Provisions
EMERGENCY

- a) The provisions in Section 33(g) of the Healthcare Worker Background Check Act [225 ILCS 46] and Section 955.165 that prohibit an individual from being hired to work as a certified nursing assistant (CNA) if he or she has been inactive on the Health Care Worker Registry are suspended if all of the following conditions are met:
- 1) The individual has been in inactive status for a period of no more than 5 years;
 - 2) The individual was in good standing at the time he or she became inactive; and

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENT

- 3) The individual completes and submits any forms required by the Department of Public Health.
- b) The Department may allow military personnel to serve as CNAs to address the increasing need for CNAs in health care facilities in response to the COVID-19 outbreak in Illinois. Military personnel shall meet the following criteria to serve as a CNA during this crisis:
 - 1) Provide DD Form 214 demonstrating successful completion of corpsman medic or combat medic training; or
 - 2) Provide documentation of current military occupational specialty as corpsman medic, combat medic, or other related medical training if currently serving in a branch of the U.S. military.
- c) The requirements for permanent certification of CNAs who are certified or licensed in another state, who are in good standing, and who are working under the direction of IEMA and the Department ("out-of-state CNAs") in response to the public health emergency declared by the Governor, are suspended. Out-of-state CNAs are limited to working under the direction of IEMA and the Department pursuant to a declared disaster or in a State licensed long-term care facility, State licensed hospital, or federally qualified health center (FQHC) and are limited to providing CNA services for the duration of the Gubernatorial Disaster Proclamations in response to the COVID-19 outbreak.
- d) Out-of-state CNAs shall provide the Department, on a form provided by the Department, with their name; contact information, including phone number and email address; state of certification or licensure; certification or license number; and the date they will begin working in Illinois.

(Source: Added by emergency rulemaking at 45 Ill. Reg. 8109, effective June 20, 2021 through June 26, 2021)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION
TO EMERGENCY RULEMAKING

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

Heading of the Part: Federal Emergency Rental Assistance Programs

Code Citation: 47 Ill. Adm. Code 378

<u>Section Numbers:</u>	378.101	378.109	378.117	378.402
	378.102	378.110	378.201	378.403
	378.103	378.111	378.301	378.404
	378.104	378.112	378.302	378.405
	378.105	378.113	378.303	378.406
	378.106	378.114	378.304	378.407
	378.107	378.115	378.305	
	378.108	378.116	378.401	

Date Originally Published in the *Illinois Register*: 5/28/21
45 Ill. Reg. 6675

At its meeting on June 15, 2021, the Joint Committee on Administrative Rules objected to the Illinois Housing Development Authority's use of emergency rulemaking to adopt rules titled Federal Emergency Rental Assistance Programs (47 Ill. Adm. Code 378; 45 Ill. Reg. 6675 - 5/28/21) because IHDA is implementing the rental assistance programs based on eligibility criteria, procedures and processes maintained on IHDA's website rather than in rule. The Illinois Administrative Procedure Act requires that any agency statements of general applicability that implement, apply, interpret, or prescribe law or policy and affect private rights and procedures available to persons outside of the agency be adopted as rule.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

SECOND NOTICES RECEIVED

The following second notices were received during the period of June 15, 2021 through June 21, 2021. These rulemakings are scheduled for the July 13, 2021 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
7/31/21	<u>Department of Human Services</u> , Service Planning and Provision (89 Ill. Adm. Code 684)	3/26/21 45 Ill. Reg. 4067	7/13/21
7/31/21	<u>Department of Human Services</u> , Provider Requirements, Type Services, and Rates of Payment (89 Ill. Adm. Code 686)	3/26/21 45 Ill. Reg. 4069	7/13/21
7/31/21	<u>Department of Human Services</u> , Program Description (89 Ill. Adm. Code 676)	3/26/21 45 Ill. Reg. 4063	7/13/21
7/31/21	<u>Department of Human Services</u> , Customer Rights and Responsibilities (89 Ill. Adm. Code 677)	3/26/21 45 Ill. Reg. 4065	7/13/21
7/31/21	<u>Department of Labor</u> , Child Bereavement Leave (56 Ill. Adm. Code 252)	8/14/20 44 Ill. Reg. 13221	7/13/21
7/30/21	<u>Department of Transportation</u> , Commercial Driver's License Standards; Requirements and Penalties (92 Ill. Adm. Code 383)	4/16/21 45 Ill. Reg. 4884	7/13/21

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION

NOTICE PURSUANT TO 415 ILCS 5/28.1(d)(3)

LISTINGS OF ADJUSTED STANDARDS AND COMBINED SEWER
OVERFLOW EXCEPTIONS GRANTED BY THE BOARD DURING
FISCAL YEAR 2021

Section 28.1(d)(3) of the Environmental Protection Act (Act) (415 ILCS 5/28.1(d)(3) (2016)) 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 2021.

Final Actions Taken by the Pollution Control Board in Adjusted Standards Proceedings During
Fiscal Year 2021 (July 1, 2020 through June 30, 2021)

The Board took no action in adjusted standard proceedings during fiscal year 2021.

Final Actions Taken by the Pollution Control Board in Combine Sewer Overflow Exception
Proceedings During Fiscal Year 2021 (July 1, 2020 through June 30, 2021)

The Board took no action in combined sewer overflow exception proceedings, as none were filed with the Board or pending during fiscal year 2021.

Dockets are available on the Pollution Control Board's website www.pcb.illinois.gov.
For assistance, please contact:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-3461
Don.Brown@illinois.gov

Address questions concerning this notice, noting the appropriate docket number, to:

Carol Webb
Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION

1021 North Grand Avenue East
Springfield IL 62794-9274
217/524-8509
Carol.Webb@illinois.gov

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

NOTICE PURSUANT TO 415 ILCS 5/7.2(b)

Section 22.4(a) of the Environmental Protection Act (Act) [415 ILCS 5/22.4(a)] requires the Board to adopt regulations that are identical in substance to rules adopted by the United States Environmental Protection Agency (USEPA) under authority of Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA) (42 U.S.C. §§ 6921-6939g (2018)). The USEPA hazardous waste regulations adopted under this authority are codified as 40 C.F.R. 260 through 268, 271 through 273, and 279. The Board is required to adopt these rules using the "identical in substance" rulemaking procedure of Section 7.2 of the Act [415 ILCS 5/7.2].

Section 7.2(a) of the Act requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

On June 17, 2021, the Pollution Control Board adopted an order in docket R21-13 that stated reasons for delay and extended the deadline for the Board completing action on rules adopted by USEPA on July 7, 2020. A segment of that opinion and order set forth reasons for delay in the update to 35 Ill. Adm. Code 702 through 705, 720, and 721. In that order, the Board stated as follows:

EXTENSION OF DUE DATE AND REASONS FOR DELAY

The Board finds that additional time is needed to complete the amendments based on these USEPA actions. The Board extends the due date for final action until November 1, 2021.

The Board is reviewing the entire text of the Illinois hazardous waste regulations to make needed corrections and harmonize that text with current Board stylistic preferences and stylistic preferences that the Joint Committee on Administrative Rules (JCAR) consistently submits based on our proposed rules. The Board staff member who has worked on hazardous waste updates for nearly 30 years plans to retire within the next several months. The Board wishes to take advantage of his experience by completing review of the rules before he retires.

The large volume of text and effort needed for the review will not allow completing this review in a single rulemaking. The Board will include corrections to the first portion of the hazardous waste rules in docket R21-13. This includes the texts of Parts 702 through 705 and 720 and a portion of Part 721 in docket R21-13. The Board plans to complete review of the hazardous waste rules in the next one or two hazardous waste updates.

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

Even the time involved in reviewing this first portion of the hazardous waste rule has exceeded expectations. It has not allowed timely progress on the R21-13 amendments. The Board plans to complete the amendments in docket R21-13 on the following schedule:

Proposal adopted date:	July 22, 2021
Publication submission deadline:	August 2, 2021
Illinois Register publication date:	August 13, 2021
End of 45-day public comment period:	September 27, 2021
Adoption date:	October 7, 2021
Possible filing and effective date:	October 18, 2021
Possible Illinois Register publication date:	October 29, 2021

This schedule includes about two extra weeks to accommodate possible further delay.

OFFICE OF THE ATTORNEY GENERAL

JULY 2021 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Attorney General's Procurement (44 Ill. Adm. Code 1300)
- 1) Rulemaking:
- A) Description: The Attorney General Act [15 ILCS 205] requires the Attorney General to establish aspirational goals for contract awards for goods and services, not related to contracts for investigations or litigation, that are substantially in accordance with the Business Enterprise for Minorities, Women, and Persons with Disabilities Act. P.A. 101-657, effective January 1, 2022, amends section 4 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act to establish new aspirational goals for qualifying contracts. This rulemaking will update the aspirational goals found in Section 1300.4500 of the Attorney General's Procurement rules.
- B) Statutory Authority: The Attorney General Act [15 ILCS 205/9].
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date Agency anticipates First Notice: October 2021
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rulemaking is not expected to affect small businesses, small municipalities or not-for-profit corporations.
- F) Agency contact person for information:
- Melissa Mahoney
Deputy Chief of Staff, Administration
Office of the Illinois Attorney General
100 West Randolph Street, 12th Floor
Chicago IL 60601
- 312/814-3950

OFFICE OF THE ATTORNEY GENERAL

JULY 2021 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: None

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 211)

1) Rulemaking: Docket number R22-1

- A) Description: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] requires the Board to adopt rules that are identical-in-substance to exempt from regulation those volatile organic compounds that the United States Environmental Protection Agency (USEPA) has determined are exempt from regulation for ozone due to negligible photochemical reactivity. The Illinois definition of volatile organic material (VOM) lists the federally excluded volatile organic compounds.

USEPA codified the compounds determined by to be exempt from regulation as 40 C.F.R. § 51.100(s). 57 Fed. Reg. 3945 (Feb. 3, 1992). This codified definition includes all the compounds and classes of compounds excluded by USEPA. The Illinois definition of VOM, codified at 35 Ill. Adm. Code 211.7150, corresponds with USEPA's definition.

The Board reserved docket number R22-1 to accommodate any amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board has found no USEPA amendments to the definition of VOM during this period that require Board action.

By about mid-August 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois definition of VOM using the identical-in-substance procedure or dismiss docket R22-1, as appropriate.

Section 9.1(e) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2021, the due date for Board adoption of amendments in docket R22-1 would be January 1, 2022.

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

To meet a due date of January 1, 2022, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2021. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R22-1.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 9.1(e), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 9.1(e) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board will then schedule and conduct at least one public hearing, as required by Section 110(a) of the federal Clean Air Act (42 USC § 7410(a)) for amendment of the Illinois ozone SIP.
- D) Date Agency anticipates First Notice: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of a chemical compound that is the subject of a proposed exemption or proposed deletion from the USEPA list of exempted compounds.

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-1, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R22-1, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 211 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. 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. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- b) Part (Heading and Code Citation): Air Quality Standards (35 Ill. Adm. Code 243)

- 1) Rulemaking: Docket number R22-8

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- A) Description: Section 10(H) to the Environmental Protection Act [415 ILCS 5/10(H)] requires the Board to adopt ambient air quality standards that are identical-in-substance to the National Ambient Air Quality Standards (NAAQS) adopted by the United States Environmental Protection Agency (USEPA) pursuant to section 109 of the federal Clean Air Act (42 USC § 7409).

USEPA codified the primary and secondary NAAQS at 40 CFR 50, including provisions relative to methods for monitoring ambient air quality for the several contaminants (particulate matter, nitrogen oxides, sulfur oxides, ozone, carbon monoxide, and lead). Various other federal regulations relate to aspects of the NAAQS, such as 40 CFR 53 prescribing the procedure for approval of equivalent and reference methods and 40 CFR 81 designating air quality monitoring regions and setting forth their attainment/non-attainment status.

The Board reserved docket number R22-8 to accommodate any amendments to the federal NAAQS that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board has found one set of USEPA actions relating to the NAAQS during this period that require Board action.

March 4, 2021 (86 Fed. Reg. 12682): USEPA designated one new reference method for sulfur dioxide (SO₂) and one new equivalent method for particulate matter (PM₁₀) in ambient air.

March 26, 2021 (86 Fed. Reg. 12682): USEPA established an initial air quality designation for Macon County for the 2010 primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide, effective April 30, 2021. This area designation completes the initial area designations for the entire State. As provided in 40 C.F.R. § 50.4(e), the 1971 primary NAAQS for sulfur dioxide will not apply to any area of Illinois after April 30, 2022.

By about mid-August 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois ambient air quality standards using

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

the identical-in-substance procedure or dismiss this docket R22-8, as appropriate.

Section 10(H) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. USEPA adopted an amendment that will require Board action on March 4, 2021, the due date for Board adoption of amendments in docket R22-8 is March 4, 2021.

To meet a due date of March 4, 2021, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by early December 2021. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendments to the Illinois ambient air quality standards are needed, the Board will promptly dismiss the reserved docket R22-8.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 10(H), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 10(H) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board may then schedule and conduct at least one public hearing, if required by Section 110(a) of the federal Clean Air Act (42 USC § 7418) for amendment of the Illinois SIP for any air contaminant, should the Board deem such authorized and required.
- D) Date Agency anticipates First Notice: Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of an air contaminant or precursor to an air contaminant that is the subject of an NAAQS.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-8, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R22-8, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 243 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. 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. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication,

- c) Parts (Headings and Code Citations): Sewer Discharge Criteria (35 Ill. Adm. Code 307); Pretreatment Programs (35 Ill. Adm. Code 310)

- 1) Rulemaking: Docket number R22-7

- A) Description: Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] requires the Board to adopt Illinois rules that are identical-in-substance to wastewater pretreatment rules adopted by the United States Environmental Protection Agency (USEPA) under sections 307(a), (b), and (c) and 402(b)(8) and (b)(9) of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. §§ 1317(a), (b), and (c) and 1342(b)(8) and (b)(9)).

The Board has reserved docket number R22-7 to accommodate any amendments to the federal wastewater pretreatment rules, 40 CFR 400 through 499, that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board found no USEPA actions during this period that require Board action.

By about mid-August 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose corresponding amendments to the Illinois wastewater pretreatment regulations using the identical-in-substance procedure or dismiss docket R22-7, as appropriate.

Section 13.3 of the Act requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

period, January 1, 2021, the due date for Board adoption of amendments in docket R22-7 would be January 1, 2022.

To meet a due date of January 1, 2022, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2021. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendments to the Illinois wastewater pretreatment rules are needed, the Board will promptly dismiss the reserved docket R22-7.

- B) Statutory 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 & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the discharge of

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

pollutants into the collection system of a publicly-owned treatment works that is the subject of any federal amendments.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-7, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R22-7, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 307 or 310 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 13.3 of the Environmental Protection Act provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. 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. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- d) Part (Heading and Code Citation): Primary Drinking Water Standards (35 Ill. Adm. Code 611)
- 1) Rulemaking: Docket number R22-2
- A) Description: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] requires the Board to adopt Illinois rules that are identical-in-substance to update the Illinois drinking water requirements adopted by the United States Environmental Protection Agency (USEPA) under sections 1412(b), 1414(c), 1417(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300g-1(b), 300g-3(c), 300g-6(a), and 300j-4). The USEPA requirements may amend national primary drinking water regulations (NPDWRs), public notice requirements, restrictions on use of lead in plumbing, and monitoring and recordkeeping requirements.

The Board reserved docket number R22-2 to accommodate any amendments to NPDWRs, 40 CFR 141 through 143, that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board has found two USEPA actions during this period that require Board action.

January 15, 2021 (86 Fed. Reg. 4198): USEPA revised the Lead and Copper Rule.

March 12, 2021 (86 Fed. Reg. 14003): USEPA delayed the effective date of the January 15, 2021 revisions until June 17, 2021.

By about mid-August 2021, the Board will determine whether other USEPA rules require any Board actions required in response. The Board will then propose necessary amendments to the Illinois SDWA primary drinking water regulations using the identical-in-substance procedure or dismiss docket R22-2, as appropriate.

Section 17.5 requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. USEPA adopted an amendment that will

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

require Board action on January 15, 2021, the due date for Board adoption of amendments in docket R22-2 is January 15, 2022.

To meet a due date of January 15, 2022, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late October 2021. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendments to the Illinois primary drinking water standards are needed, the Board will promptly dismiss the reserved docket R22-2.

- B) Statutory Authority: Implementing and authorized by Sections 17, 17.5, and 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5 & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois that owns or operates a "public water supply," as defined by Section 3.28 of the Act, i.e., it has at least fifteen service connections or regularly serves an average of at

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

least 25 individuals daily at least 60 days out of the year, or it is assisting a public water supply to demonstrate compliance.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-2, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R22-2, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 611 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- e) Parts (Headings and Code Citations): RCRA and UIC Permit Programs (35 Ill. Adm. Code 702); UIC Permit Program (35 Ill. Adm. Code 704); Procedures For Permit Issuance (35 Ill. Adm. Code 705); Hazardous Waste Management System: General (35 Ill. Adm. Code 720); Underground Injection Control Operating Requirements (35 Ill. Adm. Code 730)
- 1) Rulemaking: Presently reserved docket number R22-3
- A) Description: Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] requires the Board to adopt Illinois rules that are identical-in-substance to underground injection control (UIC) rules adopted by the United States Environmental Protection Agency (USEPA) under section 1421 of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. § 300h).
- The Board reserved docket number R22-3 to accommodate any amendments to the federal UIC regulations, 40 CFR 144 through 147, that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board has found no USEPA amendments to the UIC standards during this period that require Board action.
- By about mid-August 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois UIC regulations using the identical-in-substance procedure or dismiss docket R22-3, as appropriate.
- Section 13(c) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, on January 1, 2021, the due date for Board adoption of amendments in docket R22-3 would be January 1, 2022.
- To meet a due date of January 1, 2022, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2021. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R22-3.

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 13(c) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13(c) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 13(c) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, this rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois to the extent the affected entity engages in the underground injection of waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-3, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

Address questions concerning this regulatory agenda, noting docket number R22-3, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924

michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 702, 704, 705, 720, or 730 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- f) Parts (Headings and Code Citations): RCRA AND UIC Permit Programs (35 Ill. Adm. Code 702); RCRA Permit Program (35 Ill. Adm. Code 703); Procedures for Permit Issuance (35 Ill. Adm. Code 705); Hazardous Waste Management System: General (35 Ill. Adm. Code 720); Identification and Listing of Hazardous Waste (35 Ill. Adm. Code 721); Standards Applicable to Generators of Hazardous Waste (35 Ill. Adm. Code 722); Standards Applicable to Transporters of Hazardous Waste (35 Ill. Adm. Code 723); Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 724); ;Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 725); Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 Ill. Adm. Code 726); Land Disposal Restrictions (35 Ill. Adm. Code 728); Standards for Universal Waste

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

Management (35 Ill. Adm. Code 733); Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738); Standards for the Management of Used Oil (35 Ill. Adm. Code 739)

1) Rulemaking: Docket number R22-5

- A) Description: Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] requires the Board to adopt Illinois rules that are identical-in-substance to hazardous waste management standards adopted by the United States Environmental Protection Agency (USEPA) to implement sections 3001 through 3005 of Subtitle C of the federal Resource Conservation and Recovery Act (RCRA) (42 U.S.C. §§ 6921 through 6925).

The Board reserved docket number R22-5 to accommodate any amendments to the federal RCRA Subtitle C program, 40 CFR 148, 260 through 270, 273, and 279, that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board has found no USEPA amendments to the RCRA Subtitle C standards during this period that require Board action.

By about mid-August 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois federal RCRA Subtitle C-derived hazardous waste regulations using the identical-in-substance procedure or dismiss docket R22-5, as appropriate.

Section 22.4(a) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2021, the due date for Board adoption of amendments in docket R22-5 would be January 1, 2022.

To meet a due date of January 1, 2022, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2021. This would allow the Board to accept public comments on the proposal for 45 days before adopting any

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R22-5.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 22.4(a), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(a) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the generation, transportation, treatment, storage, or disposal of hazardous waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-5, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R22-5, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924

michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 720 through 728, 733, 738, or 739 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. 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. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- g) Part (Heading and Code Citation): Underground Storage Tanks (35 Ill. Adm. Code 731)

- 1) Rulemaking: Docket number R22-6

- A) Description: Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] requires the Board to adopt Illinois rules that are identical-in-substance to underground storage tank (UST) regulations adopted by the United States Environmental Protection Agency (USEPA) pursuant to section 9003 of Subtitle I of the federal Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991b (2017)). The mandate

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

specifically excludes federal amendments relating to the design, construction, installation, general operation, release detection, release reporting, release investigation, release confirmation, out-of-service systems, and closure or financial responsibilities for USTs.

The Board reserved docket number R22-6 to accommodate any amendments to the RCRA Subtitle I regulations, 40 CFR 281 through 283, that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board has found no USEPA amendments to the UST standards during this period that require Board action.

By about mid-August 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois UST regulations using the identical-in-substance procedure or dismiss docket R22-6, as appropriate. Section 22.4(d) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, on January 1, 2021, the due date for Board adoption of amendments in docket R22-6 is January 1, 2022.

To meet a due date of January 1, 2022, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2021. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R22-6.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 22.4(d), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(d) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- D) Date Agency anticipates First Notice: Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that owns or operates a UST.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-6, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R22-6, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 731 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. 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. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- h) Parts (Headings and Code Citations): Solid Waste (35 Ill. Adm. Code 807); Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810); Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811); Information to Be Submitted in a Permit Application (35 Ill. Adm. Code 812); ;Procedural Requirements for Permitted Landfills (35 Ill. Adm. Code 813); Interim Standards; for Existing Landfills and Units (35 Ill. Adm. Code 814); Procedural Requirements for All Landfills Exempt from Permits (35 Ill. Adm. Code 815)

- 1) Rulemaking: Presently reserved docket number R22-4

- A) Description: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] requires the Board to adopt Illinois rules that are identical-in-substance to municipal solid waste landfill (MSWLF) rules adopted by the United States Environmental Protection Agency (USEPA) under sections 4004 and 4010 of Subtitle D of the federal Resource Conservation and Recovery Act (RCRA) (42 U.S.C. §§ 6949 and 6949a).

The Board reserved docket number R22-4 to accommodate any amendments to the RCRA Subtitle D MSWLF regulations, 40 CFR 258, that USEPA may adopt between January 1, 2021 and June 30, 2021. To date, the Board has found no USEPA amendments to the MSWLF rules during this period that require Board action.

By about mid-August 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

necessary amendments to the Illinois RCRA Subtitle D MSWLF regulations using the identical-in-substance procedure or dismiss docket R22-4, as appropriate.

Section 22.40(a) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2021, the due date for Board adoption of amendments in docket R22-4 would be January 1, 2022.

To meet a due date of January 1, 2022, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2021. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R22-4.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 22.40(a) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.40(a) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit that engages in the land disposal of municipal solid waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R22-4, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R22-4, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 807 or 810 through 815 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. 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

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication

- i) Part (Heading and Code Citation): Drycleaner Environmental Response Trust Fund Act, (35 Ill. Adm. Code Parts 1501)
 - 1) Rulemaking: R21-19
 - A) Description: Pursuant to the 2019 amendments to the Drycleaner Environmental Response Trust Fund Act ("DERT Fund Act"), 415 ILCS 135, as of July 1, 2020, the Illinois Environmental Protection Agency ("Illinois EPA") has responsibility for the implementation of the DERT Fund Act and administration of the Drycleaner Environmental Response Trust Fund ("DERT Fund"), replacing the previous administrator - the Drycleaner Environmental Response Trust Fund Council ("Council"). The Illinois EPA is currently following the rules set in place by the Council at 35 Illinois Administrative Code 1500.10 to 1500.70. The Illinois EPA proposes to repeal 35 Ill. Adm. Code Part 1500 in its entirety and proposes the simultaneous adoption and replacement of those regulations with a new 35 Ill. Adm. Code Part 1501, which would incorporate the Illinois EPA's authorities and clarify its duties and responsibilities under the DERT Fund Act. The proposal also requests simultaneous repeal of the Freedom of Information Act ("FOIA") rules adopted by the Council and set forth in 2 Ill. Adm. Code Part 3100, since the Board and Illinois EPA already have such FOIA rules in place.
 - B) Statutory Authority: 415 ILCS 135 [Drycleaner Environmental Response Trust Fund Act], as amended by Public Act 101-400 on August 16, 2019.
 - C) Scheduled meeting/hearing dates: Anticipated September or October 2021
 - D) Date Agency anticipates First Notice: TBD post-hearing
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: The proposed rules are consistent with the Council's past administration of the DERT Fund, the rules currently applicable to the

POLLUTION CONTROL BOARD

JULY 2021 REGULATORY AGENDA

Illinois EPA's administration of the DERT Fund, and the DERT Fund Act, and therefore do not create any new economic burden for drycleaners.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R21-19, as follows:

Don A. Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R21-19, as follows:

Mark, Kaminski, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-3886
Mark.kaminski@illinois.gov

- G) Related rulemakings and other pertinent information: Proposal requests simultaneous repeal of 35 Ill. Adm. Code Parts 1500.10 through 1500.70, and 2 Ill. Adm. Code Parts 3100.10 through 3100.60.

PROCLAMATIONS

2021-95**Motorcycle Awareness Month**

WHEREAS, safety is the highest priority for the highways and streets of our townships and state; and,

WHEREAS, the great state of Illinois is proud to be a national leader in motorcycle safety, education, and awareness; and,

WHEREAS, motorcycles are a common and economical means of transportation that reduces fuel consumption and road wear, and contributes in a significant way to the relief of traffic and parking congestion; and,

WHEREAS, it is important that motorists be aware of motorcycles on the roadways and recognize the importance of motorcycle safety; and,

WHEREAS, all motorcyclists should actively promote the safe operation of motorcycles as well as promoting motorcycle safety, education, awareness, and respect; and,

WHEREAS, the motorcyclists of Illinois have contributed extensive volunteerism and money to national and community charitable organizations; and,

WHEREAS, during the month of May, all roadway users should unite in the safe sharing of roadways throughout the great state of Illinois;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 2021, as Motorcycle Awareness Month, and urge all motorists to join in an effort to improve safety and awareness on our roadways.

Issued by the Governor: May 3, 2021

Filed by the Secretary of State: June 15, 2021

2021-96**World Trade Month**

WHEREAS, Illinois recognizes the importance of exports as a major driver of the state's economy, having grown 40 percent in the past decade; and,

PROCLAMATIONS

WHEREAS, Illinois is a leader among other Midwest states and nationally ranked fourth in exports; and,

WHEREAS, in 2020, Illinois exports totaled over \$58 billion, reached 200 markets in different countries, and supported over 800,000 jobs in Illinois while fueling an \$886 billion annual economic impact; and,

WHEREAS, based on Illinois' geographic location as an intracoastal hub for cargo exported by air, rail or boat, the state is positioned to continue leading as a gateway for trade; and,

WHEREAS, 95 percent of global consumers and over 70 percent of the world's purchasing power are outside of the United States; and,

WHEREAS, small and medium-sized businesses account for 98 percent of United States exporters but still represent less than one-third of the total United States export value; and,

WHEREAS, the Illinois Department of Commerce and Economic Opportunity Office of Trade & Investment (OTI) provides international business development assistance and export assistance services to help existing small and medium companies succeed in global markets; and,

WHEREAS, Illinois is dedicated to helping businesses expand their reach and exports all over the world with a strong global network that includes six regional foreign offices located in Belgium, Canada, China, Israel, Japan, and Mexico; and,

WHEREAS, in the past year, exporting has offered companies facing impacted revenues due to COVID-19 an avenue to pivot and increase their market share; and,

WHEREAS, Illinois continues to invest in export assistance programs such as the Illinois State Trade and Export Promotion program (ISTEP), which helps business increase sales and create new jobs that in turn bolster Illinois's image on the international stage; and,

WHEREAS, ISTEP offers financial assistance to approximately 200 Illinois small businesses annually and over the past two years has deployed \$1.6 million in funding to Illinois exporters;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 2021 as World Trade Month in Illinois and encourage more Illinois businesses to explore and pursue international exporting opportunities and engage in networking and global business exchange events to continue to move Illinois forward in the world marketplace as a premier export state.

Issued by the Governor: May 3, 2021

PROCLAMATIONS

Filed by the Secretary of State: June 15, 2021

2021-97**Food Allergy Awareness Week**

WHEREAS, as many as 32 million Americans have food allergies and nearly six million are children under the age of 18; and,

WHEREAS, research shows that the prevalence of food allergy is increasing among children and adults; and,

WHEREAS, nine foods cause the majority of all food allergy reactions in the U.S.: shellfish, fish, milk, eggs, tree nuts, peanuts, soy, wheat and sesame; and,

WHEREAS, symptoms of a food allergy reaction can range from mild to severe, such as anaphylaxis, a serious allergic reaction that is rapid in onset and may cause death; and,

WHEREAS, food allergy results in more than 200,000 U.S. emergency room visits each year, and reactions typically occur when an individual unknowingly eats a food containing an ingredient to which they are allergic; and,

WHEREAS, the number of food allergy reactions requiring emergency treatment is up sharply over the past decade, with a 377 percent rise in insurance claim lines with diagnoses of anaphylactic food reactions between 2007 and 2016; and,

WHEREAS, FARE (Food Allergy Research & Education) is a national nonprofit organization dedicated to improving the quality of life and the health of individuals with food allergies, and to providing them hope through the promise of new treatments;

THEREFORE I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 9-15, 2021 as Food Allergy Awareness Week in Illinois and encourage residents to increase their understanding and awareness of food allergies and anaphylaxis.

Issued by the Governor: May 4, 2021

Filed by the Secretary of State: June 15, 2021

2021-98**Cri Du Chat Awareness Day**

PROCLAMATIONS

WHEREAS, the 5p-Society of North America, along with support organizations from over 30 countries around the world are proud to announce that May 1st through May 10th will be designated Cri Du Chat Syndrome Awareness Week; and,

WHEREAS, May 5th has been designated internationally as Cri Du Chat Syndrome Day; and,

WHEREAS, individuals with Cri Du Chat deserve to be recognized for what they can do versus what they cannot do; and,

WHEREAS, each year in the United States alone, approximately 50 - 60 children are born with 5p- or Cri Du Chat Syndrome; and,

WHEREAS, some common characteristics of Cri Du Chat Syndrome at birth are high-pitched cries, low birth weight, poor muscle tone, microcephaly, and potential medical complications; and,

WHEREAS, 5p- is a term used by geneticists to describe a portion of chromosome number five that is missing in these individuals; and,

WHEREAS, one of the goals of Cri Du Chat awareness week is to end the outdated misinformation given to families when their child is diagnosed with Cri Du Chat; and,

WHEREAS, children born with this rare genetic defect will most likely require ongoing support from a team of parents, therapists, and medical and educational professionals to help the child achieve his or her maximum potential;

THEREFORE, I, JB Pritzker, Governor of Illinois, do hereby proclaim May 5th, 2021 as Cri Du Chat Awareness Day in Illinois.

Issued by the Governor: May 5, 2021

Filed by the Secretary of State: June 15, 2021

2021-99**Lupus Awareness Month**

WHEREAS, each year the Lupus Society of Illinois designates May as Lupus Awareness Month to show support for the Illinois residents living with Lupus and the thousands more who care for them; and,

PROCLAMATIONS

WHEREAS, Systemic Lupus Erythematosus (Lupus) happens when the immune system attacks its own tissues, causing inflammation and, in some cases, permanent tissue damage; and,

WHEREAS, Lupus causes the body's defense system to attack healthy cells and tissues, instead of viruses and bacteria, damaging many parts of the body including the joints, skin, kidneys, heart, lungs, blood vessels and brain; and,

WHEREAS, anyone can get Lupus, though women are more likely than men to contract the disease, and is more common among Black, Indian, and Asian populations; and,

WHEREAS, Men, Black, Chinese, and Hispanic populations are also more likely to have serious organ system involvement as a result of Lupus; and,

WHEREAS, the most common symptoms of lupus are pain or swelling in the joints, muscle pain, fever with no known cause, red rashes, most often on the face, chest pain when breathing, hair loss, pale or purple fingers or toes, sensitivity to the sun, swelling in the legs or around the eyes, mouth sores swollen glands, and fatigue; and,

THEREFORE, I, JB Pritzker, Governor of the State of Illinois do hereby proclaim May 2021 as Lupus Awareness Month in Illinois, and urge all Illinoisans to educate themselves on the symptoms and impact of lupus, and to support programs of research, education, and community service for those with this disease.

Issued by the Governor: May 5, 2021

Filed by the Secretary of State: June 15, 2021

2021-100**National Nurses Week**

WHEREAS, the nearly 3.1 million registered nurses in the United States comprise our nation's largest health care profession, and over 200,000 nurses are licensed to practice in our great state of Illinois; and,

WHEREAS, the depth and breadth of the registered nursing profession meets the different and emerging health care needs of our state's population across a wide range of healthcare settings; and,

PROCLAMATIONS

WHEREAS, a renewed emphasis on primary and preventive health care will require the better utilization of our state's licensed nursing resources; and,

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and,

WHEREAS, the demand for registered nursing services will be greater than ever because of the aging of the Illinois population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and,

WHEREAS, more qualified licensed nurses will be needed in the future to meet the increasingly complex needs of health care consumers in our state, especially during the COVID-19 pandemic; and,

WHEREAS, the cost-effective, safe, and quality health care services provided by licensed nurses will be an increasingly important component in the Illinois health care delivery system today and in the future, prizing public safety as paramount; and,

WHEREAS, in many ways, licensed nurses strive to provide safe and high-quality patient care and map out ways to improve our health care system;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 6-12, 2021 as National Nurses Week in Illinois, and I ask that all residents of Illinois join together to honor the licensed nurses who care for all of us and the memory of nurses lost, particularly while caring for COVID-19 patients.

Issued by the Governor: May 5, 2021

Filed by the Secretary of State: June 15, 2021

2021-101**National Skilled Nursing Care Week**

WHEREAS, in honor of the collective strength and dedication of all the essential caregivers and residents in nursing centers across the State, this year's National Skilled Nursing Care Week theme is "Together Through the Seasons;" and,

WHEREAS, "Together Through the Seasons" honors the collaborative commitment of skilled nursing care facilities and their staff in providing compassionate care to their residents during this unprecedented time; and,

PROCLAMATIONS

WHEREAS, over the past year, despite the challenges of the pandemic, skilled care centers and their staff have shown an incredible and steadfast commitment to providing quality care and ensuring the safety of their residents; and,

WHEREAS, staff heroically protected and cared for residents around the clock every day as challenges such as social distancing rules prevented residents from in-person visits with loved ones; and,

WHEREAS, the long-term care facilities in Illinois are dedicated to providing the finest in health care and rehabilitation for our convalescent, aged, and developmentally challenged residents; and,

WHEREAS, this dedication has been demonstrated through continual striving to upgrade standards of care and improve service during unprecedented times; and,

WHEREAS, National Skilled Nursing Care Week is an opportunity to celebrate the collective effort, strength, and dedication of those who work tirelessly every day to care for and protect frail, elderly, and disabled adults in long term care; and,

WHEREAS, the Illinois Health Care Association is contributing to activities in observance of National Skilled Nursing Care Week beginning May 9, 2021;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 9-15, 2021 as National Skilled Nursing Care Week in Illinois, and encourage all Illinoisans to recognize all the individuals who have continually committed themselves to quality care and services in our state's long-term care facilities.

Issued by the Governor: May 7, 2021

Filed by the Secretary of State: June 15, 2021

2021-102**Necrotizing Fasciitis Awareness Month**

WHEREAS, Necrotizing Fasciitis was first described within medical literature in 1883 by Fournier and was originally described as a disease of unknown cause that caused Fournier's Gangrene or cell death of the scrotum; and,

PROCLAMATIONS

WHEREAS, it is an uncommon clinical disease of the layers of tissue under the skin that attracts a high profile within the popular media where it is often referred to as the "flesh eating bug or virus;" and,

WHEREAS, the most common causes of the disease are the bacteria group A hemolytic, Streptococcus pyogenes and Staphylococcus aureus, either alone or in combination, with other cases reported to be caused by other types of bacteria including those naturally found within the intestines of normal healthy individuals; and,

WHEREAS, Necrotizing Fasciitis can occur in any age group, although sometimes there are precipitating factors, though it is most commonly associated with surgical procedures, diabetes mellitus, atherosclerotic vascular disease, malignancy, and hypertension; and,

WHEREAS, in rare occasions it may occur following minor injuries to the skin, falls, cuts or tears but sometimes is not apparent and can occur in apparently healthy individuals;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 2021 as Necrotizing Fasciitis Awareness Month in Illinois.

Issued by the Governor: May 7, 2021

Filed by the Secretary of State: June 15, 2021

2021-103**XLH Awareness Day**

WHEREAS, X-Linked Hypophosphatemia (XLH) is a whole-body, whole-life rare genetic disorder that affects the person since birth, childhood, adulthood, and advanced age affecting the patient's bone, joints, dental, hearing, muscle and or nerve systems; and,

WHEREAS, XLH affects about one in 20,000 newborns according to the National Institutes of Health (NIH); and,

WHEREAS, the effects of the disease cause serious and debilitating symptoms that have a major impact on the lives of those people who suffer from XLH and their families; and,

WHEREAS, patients affected by XLH and their families often encounter a variety of problems outside the illness itself, such as difficulty in obtaining accurate and timely diagnoses, finding effective treatment options, and/or being able to afford the appropriate treatment; and,

PROCLAMATIONS

WHEREAS, XLH is not a curable disease; however, dedicated researches around the world continue their efforts to understand how genetic mutations work with the hope a cure will be found one day; and,

WHEREAS, educational programs must be public and constant so new parents and health providers can be exposed to the most up-to-date information;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim June 23, 2021 as XLH Awareness Day.

Issued by the Governor: May 7, 2021

Filed by the Secretary of State: June 15, 2021

2021-104
Day of Prayer

WHEREAS, the 70th observance of the National Day of Prayer will be held on Thursday, May 6, 2021; and,

WHEREAS, the First Continental Congress proposed a day of public prayer in 1775 in support of building the nation, a tradition that informally guided the United States for over one hundred years until the U.S. Congress approved a joint resolution setting aside an annual day to honor the act of prayer in 1952; and,

WHEREAS, Public Law 100-307 directs the President of the United States to set aside and annually proclaim the first Thursday of May as a National Day of Prayer; and,

WHEREAS, leaders and all people of our nation are afforded the privilege of prayer, as well as the freedom to choose how and if they honor a guiding faith; and,

WHEREAS, a Day of Prayer serves as a reminder of the values of compassion and goodwill that tie us to one another, a shared day to honor prayer as a means by which we can consider the struggle of others;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 6, 2021 as a Day of Prayer in Illinois.

Issued by the Governor: May 11, 2021

Filed by the Secretary of State: June 15, 2021

PROCLAMATIONS

2021-105**Fibromyalgia Awareness Month**

WHEREAS, in the United States approximately two to four percent of the population—about six to 12 million people—have been diagnosed with fibromyalgia, a disease for which there is no known cause or cure; and,

WHEREAS, fibromyalgia is a chronic illness that causes widespread debilitating musculoskeletal pain, fatigue, a lack of concentration, and mood disorders in women, men, and children of all ethnicities; and,

WHEREAS, co-existing rheumatic and musculoskeletal conditions including rheumatoid arthritis, lupus, and ankylosing spondylitis; and,

WHEREAS, patients with this illness often have to live for years with widespread pain throughout their bodies, extreme fatigue, sleep disorders, stiffness and weakness, migraine headaches, numbness and tingling, and impairment of memory and concentration; and,

WHEREAS, reaching a diagnosis of fibromyalgia may be difficult, and medical professionals may be inadequately educated on the disease's diagnosis and treatment; and,

WHEREAS, increased awareness and expanded knowledge of the realities of life with fibromyalgia will allow the community at large to better support people who struggle with the challenges of this chronic pain disorder; and,

WHEREAS, Fibromyalgia Patient Education & Support was founded as a patient-focused health community with a mission to empower patients beyond the journey of chronic pain;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 2021 as Fibromyalgia Awareness Month in Illinois.

Issued by the Governor: May 11, 2021

Filed by the Secretary of State: June 15, 2021

2021-106**Order Sons of Italy****Alzheimer's Association "Partners in Progress" Day**

PROCLAMATIONS

WHEREAS, the Order Sons of Italy in America (OSIA) was established in the Little Italy neighborhood of New York City on June 22, 1905, by Vincenzo Sellaro, M.D., and five other Italian immigrants who came to the United States during the great Italian migration between 1880 and 1923; and,

WHEREAS, during that time, OSIA'S goal was to create a support system for all Italian immigrants that would assist them in becoming U.S. citizens, provide health and death benefits, and provide educational opportunities; and,

WHEREAS, over the years, OSIA established free schools and community centers to teach immigrants English and help them become citizens, founded orphanages and homes for the elderly, and helped to raise money for those in need; and,

WHEREAS, OSIA achieved its goal of serving the public by donating millions of dollars to educational programs, disaster relief, cultural preservation and promotion, and medical research; and,

WHEREAS, the National Council of the Order Sons of Italy in America has adopted the cure for Alzheimer's disease as one of its primary charitable goals, and plans to support this cause by implementing a fund-raising campaign throughout the nation; and,

WHEREAS, OSIA will join with the Alzheimer's Association to provide services and support to Alzheimer's patients and their families; and,

WHEREAS, on May 16, 2021, OSIA and the Alzheimer's Association will hold an event to support the more than five million Americans affected by Alzheimer's disease;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 16, 2021 as Order Sons of Italy Alzheimer's Association "Partners in Progress" Day in Illinois, and encourage all residents to recognize the charitable work these organizations carry out for the benefit of others.

Issued by the Governor: May 11, 2021

Filed by the Secretary of State: June 15, 2021

2021-107

Illinois Health and Hospital Association's Health Equity Action Day

PROCLAMATIONS

WHEREAS, a person's race or ethnicity should never determine their health outcomes, but for many health equity has frequently and tragically been denied with such health disparities having once again been starkly exposed by the COVID-19 pandemic; and,

WHEREAS, the Illinois Health and Hospital Association (IHA) and its more than 200 hospital and nearly 40 health system members across the state recognized more can - and must - be done even though no one entity has all the answers to eliminating systemic racism, injustice, inequality, violence and health and socio-economic disparities; and,

WHEREAS, in July of 2020 IHA established a permanent standing Committee on Health Disparities to develop and implement strategies for hospitals to employ in order to reduce disparities that continue to adversely affect vulnerable communities and populations across Illinois – especially persons and communities of color; and,

WHEREAS, for years, IHA and its members have undertaken numerous activities, both individually and collectively, to address health disparities and the social determinants of health; and,

WHEREAS, IHA and its members continue working to address factors that influence good health and are strongly committed to working with their communities, their government partners, and all stakeholders to advance health equity and achieve tangible and lasting change to ensure all individuals and communities have access to high-quality healthcare at the right time and in the right setting;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim June 18, 2021 as Illinois Health and Hospital Association's Health Equity Action Day and urge all Illinois hospitals, health care providers, and health care professionals to reflect on the issue of health disparities and the actions they can take - individually and collectively - to improve health equity for all Illinois residents and communities.

Issued by the Governor: May 12, 2021

Filed by the Secretary of State: June 15, 2021

2021-108**Congenital Disorders of Glycosylation (CDG) Awareness Day**

WHEREAS, Congenital Disorders of Glycosylation (CDGs) are a group of rare metabolic disorders that affect normal organ development and the neurological system, leaving children, adolescents, and adults impaired with significant physical and developmental disability; and,

PROCLAMATIONS

WHEREAS, CDGs are severely under-diagnosed and misdiagnosed with only approximately 1,200 cases diagnosed with CDG globally and only 220 cases currently reported in the United States; and,

WHEREAS, lack of public awareness and visibility of CDGs contribute to under-diagnosis and difficulties in accessing specialized services and proper rehabilitation and support; and,

WHEREAS, early diagnosis of CDGs is important to ensure timely management of clinical complications, genetic counseling, and available treatments and therapeutic remedies;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 16, 2021 as Congenital Disorders of Glycosylation (CDG) Awareness Day in Illinois to raise awareness and increase the accurate and timely diagnosis of this rare group of inherited metabolic disorders.

Issued by the Governor: May 13, 2021

Filed by the Secretary of State: June 15, 2021

2021-109**Emergency Medical Services Week
Emergency Medical Services for Children Day**

WHEREAS, Emergency Medical Services (EMS) embody the true concept of teamwork by recognizing the interdependent relationship among trauma centers, EMS system hospitals, ambulance providers, emergency and trauma physicians, emergency nurses, first responder defibrillators, Emergency Medical Responders (EMR), Emergency Medical Technicians (EMTs) – basic, intermediate/advanced and paramedic, pre-hospital registered nurses, emergency communication nurses, trauma nurse specialists and Emergency Medical Dispatchers (EMD); and,

WHEREAS, EMS for Children promotes a specialized approach to pediatric care; and Illinois' emergency medical services systems strives to integrate pediatric emergency care needs across a wide spectrum; and,

WHEREAS, Illinois champions EMS for Children's commitment to reduce childhood morbidity and mortality associated with severe illness and trauma; and,

PROCLAMATIONS

WHEREAS, in Illinois there are 64 EMS resource hospitals, 65 trauma centers, 162 stroke centers, 99 emergency departments with pediatric capabilities, and 9 pediatric critical care centers; 609 ambulance providers and 3,359 ambulances; 15,117 EMR's 19,362 EMTs, 520 intermediate/advanced EMTs, 16,336 paramedics; 5455 emergency communications registered nurses, 3,083 trauma nurse specialists, 558 pre-hospital registered nurses; 3,427 EMD's, and 1,769 lead instructors selflessly providing 24-hour service to the people of Illinois; and,

WHEREAS, this year's national theme, "This is EMS, Caring for Our Communities" underscores the immediate nature of the situations to which EMS personnel must respond, while also looking ahead to the future of prehospital care; and,

WHEREAS, Emergency Medical Services Week serves to recognize all those in EMS who dedicate themselves to saving lives across Illinois;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 16-22, 2021, as Emergency Medical Services Week, and May 19, 2021, as Emergency Medical Services for Children Day in Illinois and encourage residents to remember their local EMS personnel.

Issued by the Governor: May 13, 2021

Filed by the Secretary of State: June 15, 2021

2021-110**National Safe Boating Week**

WHEREAS, on average, 600 people die each year in boating-related accidents in the U.S.; 79 percent of these are fatalities caused by drowning; and,

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors; and,

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and,

WHEREAS, in 2020, Illinois had 21 people lose their lives on the water and 81 boating accidents;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 22-28, 2021 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

PROCLAMATIONS

Issued by the Governor: May 13, 2021

Filed by the Secretary of State: June 15, 2021

2021-111**World Neurofibromatosis (NF) Awareness Day**

WHEREAS, the Children's Tumor Foundation is observing May 17, 2021 as World Neurofibromatosis (NF) Awareness Day to educate the public about this rare genetic disorder; and,

WHEREAS, although over two million people around the world are living with NF and one in every 3,000 births is diagnosed with NF, it is still relatively unknown to the public; and,

WHEREAS, NF affects all populations equally, regardless of race, ethnicity, or gender; and,

WHEREAS, NF causes tumors to grow on nerves throughout the body and also can affect development of the brain, cardiovascular system, bones, and skin, leading to blindness, deafness, bone abnormalities, disfigurement, learning disabilities, disabling pain, and cancer; and,

WHEREAS, the Children's Tumor Foundation leads efforts to promote and financially sponsor world-class medical research aimed at finding effective treatments and, ultimately, a cure for NF; and,

WHEREAS, the Children's Tumor Foundation is connecting the unconnected, leading the way through innovative and inventive approaches to scientific advancement and improved patient care, and revamping systems to accelerate the path from discovery to treatment; and,

WHEREAS, the Children's Tumor Foundation works to improve access to quality patient care through its national NF Clinic Network and provides patient and family support through its information resources, youth programs, and community activities; and,

WHEREAS, much remains to be done in raising public awareness of NF to help promote early diagnosis, proper management and treatment, prevention of complications, and support for research;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 17, 2021 as World Neurofibromatosis (NF) Awareness Day in Illinois.

PROCLAMATIONS

Issued by the Governor: May 13, 201
Filed by the Secretary of State: June 15, 2021

2021-112
National Public Works Week

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities, the public health, high quality of life, and well-being of the people of the State of Illinois; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals - engineers, managers and employees at all levels - who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our residents; and,

WHEREAS, it is in the public interest for people and civic leaders of Illinois to gain knowledge of and to maintain an interest and understanding about the importance of public works and public works programs in their respective communities; and,

WHEREAS, public works employees, being instrumental and essential in responding to civic emergencies and operating and maintaining essential infrastructure such as water, wastewater, streets, and solid waste collection, are designated as first responders by Homeland Security Presidential Directive; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association and Canadian Public Works Association;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim the week May 16 – 22, 2021, as National Public Works Week and urge all Illinoisans to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Issued by the Governor: May 14, 2021
Filed by the Secretary of State: June 15, 2021

2021-113
Africa Day

PROCLAMATIONS

WHEREAS, Africa Day was first held in 1963 in the Ethiopian capital of Addis Ababa, when 32 countries formed the Organization of Africa Unity (OAU), with 23 additional countries joining to form a body of 55 countries, now known as the African Union (AU); and,

WHEREAS, Africa Day is widely celebrated by Africans in Africa and Diaspora around the world and is a national holiday in many African countries, some of which have diplomatic missions in Illinois; and,

WHEREAS, Africa Day aims to highlight the importance of Africa and its contributions to the community of nations, especially with the establishment of the African Continental Free Trade Area (AfCFTA) agreement; and,

WHEREAS, many Illinoisans have African heritage and ancestry;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, declare May 25th, Africa Day in the State of Illinois.

Issued by the Governor: May 24, 2021

Filed by the Secretary of State: June 15, 2021

2021-114**Illinois Scleroderma Awareness Month**

WHEREAS, addressing the complex health needs of people with scleroderma is important to the State of Illinois; and,

WHEREAS, comprehensive and coordinated health services for people with scleroderma are critically important to achieving positive patient outcomes; and,

WHEREAS, through public awareness, the State of Illinois seeks to focus on the needs of people with scleroderma and the continuing improvement of services to those individuals and their families; and,

WHEREAS, Illinoisans are encouraged to wear teal in June in support of scleroderma awareness and to participate in scleroderma awareness-related events during the month of June; and,

WHEREAS, the Greater Chicago Chapter, through its collaboration with the Scleroderma Foundation and other organizational partners, seeks to raise awareness in our communities through support, education, and research toward finding a cure for scleroderma;

PROCLAMATIONS

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim June 2021 as Illinois Scleroderma Awareness Month in Illinois.

Issued by the Governor: May 24, 2021

Filed by the Secretary of State: June 15, 2021

2021-115**Annuity Awareness Month**

WHEREAS, annuities provide a safe alternative for individuals who want a predictable way to meet immediate, ongoing, and future financial obligations and objectives; and,

WHEREAS, surveys consistently indicate the vast majority of Americans are looking for a financial vehicle that provides the benefits annuities offer, specifically the ability to address the critical concern of running out of money during retirement; and,

WHEREAS, outliving one's retirement income creates a financial hardship that may require working additional years of employment, reduce the standard of living in retirement, defeat the fulfillment of legacy goals, or require dependence upon family and friends for monetary support; and,

WHEREAS, research indicates annuity owners have a higher confidence in their overall retirement readiness; and,

WHEREAS, because determining what kind of an annuity to buy and when to take income is one of the most important financial decisions consumers will ever make, individuals and families can benefit greatly from the expert advice of a qualified insurance or financial services professional; and,

WHEREAS, the Coalition for Annuity Awareness, a nonprofit whose membership represents hundreds of leading insurance companies and organizations, has designated June as National Annuity Awareness Month, the goal of which is to educate consumers on annuity benefits, support them in considering annuities for meeting specific financial goals, and encourage them to seek professional advice for implementing annuities effectively in their income and legacy planning;

PROCLAMATIONS

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim the month of June 2021 as Annuity Awareness Month in Illinois and urge our residents to learn more about annuities and their benefits in retirement planning.

Issued by the Governor: May 25, 2021

Filed by the Secretary of State: June 15, 2021

2021-116**Asian American Pacific Islander Disability Heritage Month**

WHEREAS, according to U.S. Census Data, there are over 700,000 Asian Americans and 18,000 Pacific Islanders in Illinois; and,

WHEREAS, Asian American and Pacific Islander people have made significant contributions to their communities; and,

WHEREAS, there are over 21,000 Asian-owned businesses in Illinois, making up nine percent of all businesses with employees in the state; and,

WHEREAS, Asians and Pacific Islanders across the state who belong to the Disability community hold prominent advocacy and leadership roles; and,

WHEREAS, individuals with disabilities bring a unique skillset and provide important and valuable contributions across the State of Illinois; and,

WHEREAS, the State of Illinois is committed to educating its residents about the important intersection that is disability and race, while ensuring all members of the AAPI disability community are treated with dignity and share in the same access to opportunity as all other residents;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 2021 as Asian American Pacific Islander Disability Heritage Month.

Issued by the Governor: May 25, 2021

Filed by the Secretary of State: June 15, 2021

2021-117**Elder Abuse Awareness Day**

PROCLAMATIONS

WHEREAS, protecting adults and those with disabilities is an important undertaking conducted admirably by the Illinois Department on Aging, its Office of Adult Protective Services, and providers throughout the state; and,

WHEREAS, in 2020 the Department responded to more than 20,000 reports of abuse of adults age 60 and older, and persons ages 18-59 with a disability, though the crisis remains vastly under-identified and under-reported; and,

WHEREAS, abuse may take many forms including financial exploitation, emotional abuse, passive neglect, physical abuse, willful deprivation, confinement, and sexual abuse; and these often occur in tandem; and,

WHEREAS, victims are often abused by family members or other relatives; and,

WHEREAS, abuse, neglect, and exploitation of any individual is an affront to human rights in Illinois and around the world; and,

WHEREAS, the Adult Protective Services Act is a law created in Illinois to help this vulnerable population by stopping abuse and putting protective barriers and services in place to achieve safety; and,

WHEREAS, it is important for all Americans and all Illinoisans to learn to recognize and report any signs of mistreatment, and redouble our efforts to build communities that safeguard our elders and persons with disabilities; and,

WHEREAS, suspected abuse, neglect, or financial exploitation of an eligible adult should be reported to the statewide 24-hour Abuse Hotline at 866-800-1409; and,

WHEREAS, abuse of adults is a worldwide problem - Elder Abuse Awareness Day began 15 years ago at the United Nations by the International Network for the Prevention of Elder Abuse and the World Health Organization;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim June 15, 2021 as Elder Abuse Awareness Day in Illinois.

Issued by the Governor: May 25, 2021

Filed by the Secretary of State: June 15, 2021

PROCLAMATIONS

2021-118**Wound Care Awareness Week**

WHEREAS, it is estimated that 6.7 million people currently live with chronic wounds, with the number expected to grow at more than two percent annually for the next decade; and,

WHEREAS, fueled by an aging population, increasing rates of diseases and conditions such as a diabetes, obesity, and the late effects of radiation therapy, other risk factors include skeletal and joint disease, a higher number of pregnancies, and physical inactivity; and,

WHEREAS, chronic wounds include, but are not limited, to diabetic foot ulcers, venous leg ulcers, and pressure ulcers - an estimated 34.2 million Americans have diabetes and two million are struggling to heal a diabetic foot ulcer; and,

WHEREAS, research studies completed in the United States have confirmed about 10 percent to 35 percent of adults have chronic circulation diseases and/or other risks factors that have led to chronic wounds, and that four percent of adults 65 years or older have venous ulcers; and,

WHEREAS, untreated chronic wounds can lead to diminished quality of life and possible amputation of the affected limb, notable complications of untreated chronic wounds include serious infections and skin cancers which further underscore the challenges faced by our current wound care professionals, working tirelessly to provide wound care management; and,

WHEREAS, chronic wounds are a challenge to wound care professionals and consume a great deal of healthcare resources around the globe, with the chronic wound epidemic representing a cost of more than \$50 billion to healthcare systems; and,

WHEREAS, economic and personal impacts include frequent visits to health care facilities, loss of productivity, increased disability, discomfort, need for dressing changes, and recurrent hospitalizations; and,

WHEREAS, advanced wound care aims to prevent amputations and heal patients in a faster and more cost-effective way; and,

WHEREAS, advanced wound care physicians and health care providers take great pride in caring for their patients and seeing their patients succeed - as consumers of health care services, we owe a great deal of gratitude to these professionals for their painstaking efforts; and,

PROCLAMATIONS

WHEREAS, the goal of Wound Care Awareness Week is to inform patients, their families, community physicians, and the general public about the importance of advanced wound care and its ability to save lives and limbs;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim June 7-11, 2021, as Wound Care Awareness Week.

Issued by the Governor: May 25, 2021

Filed by the Secretary of State: June 15, 2021

2021-119**Brain Tumor Awareness Month**

WHEREAS, an estimated 84,170 Americans of all ages, races, socio-economic statuses, and genders will receive a primary brain tumor diagnosis in 2021; and,

WHEREAS, malignant brain tumors are among the deadliest forms of cancer with just a 36 percent five-year relative survival rate and are the leading cause of cancer-related deaths in children and adolescents under the age of 14; and,

WHEREAS, over 3,360 people in Illinois will be diagnosed with a brain tumor and 607 will die from a brain tumor in 2021; and,

WHEREAS, Illinois is home to major facilities that focus on research to find better treatments, a cure, and ways to ensure a higher quality of life for brain tumor patients; and,

WHEREAS, increased public awareness of brain tumors through advocacy and support for targeted research, as well as education about the impact brain tumors have on patients and their families, are critical to find a cure;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim May 2021 as Brain Tumor Awareness Month in Illinois.

Issued by the Governor: May 26, 2021

Filed by the Secretary of State: June 15, 2021

2021-120**Caribbean-American Heritage Month**

PROCLAMATIONS

WHEREAS, people of Caribbean heritage are found in every state across the country; and,

WHEREAS, during the 17th, 18th, and 19th centuries, a significant number of slaves from the Caribbean region were brought to the United States; and,

WHEREAS, much like the United States, the countries of the Caribbean faced obstacles of slavery and colonialism and struggled for independence; and,

WHEREAS, also like the United States, the people of the Caribbean region have diverse racial, cultural, and religious backgrounds; and,

WHEREAS, Caribbean Americans have become leaders in every sector of the country while maintaining the varied traditions of their countries of origin, including Vice President Kamala Harris (Jamaica), the first female Vice President of the United States; Midwin Charles (Haiti), a former Attorney and Legal Analyst for CNN and MSNBC; Dr. Marcella Nunenz Smith (Virgin Islands), the head of the Biden Task Force on Health Equity; and Robin Rihanna Fenty (Barbados), a singer, songwriter and actress; and,

WHEREAS, in Illinois, these Caribbean-American leaders include Jean Martin (Jamaica), a restaurateur and the matriarch of Chicago's Caribbean community; Marie Lynn Toussaint (Haiti), the Cook County Assistant Public Defender and Chairperson of the Haitian Congress to Fortify Haiti; Cesar Rolon (Puerto Rico), a leader of Illinois Unidos, a community organization that addresses COVID-19 in Latin communities; Rafel Nunez-Cedeno (Dominican Republic), the founder and president of the Dominican American Midwest Association; and Anton & Anthony Downing (Bahamas), Chicago firefighters and house flippers; and,

WHEREAS, Caribbean-Americans have contributed greatly to education, fine arts, business, literature, journalism, sports, fashion, politics, government, the military, music, science, technology, and other areas in the United States;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim June 2021 as Caribbean-American Heritage Month in Illinois.

Issued by the Governor: May 26, 2021

Filed by the Secretary of State: June 15, 2021

2021-121

Juneteenth National Freedom Day

PROCLAMATIONS

WHEREAS, United States President Abraham Lincoln issued the Emancipation Proclamation in 1862, declaring that on January 1, 1863, the millions of African Americans enslaved in territory held by the Confederacy would be "thenceforward, and forever free;" and,

WHEREAS, for more than two and a half years, the conflict raged on, culminating in the deadliest war in American history; and,

WHEREAS, local enforcement of the Emancipation Proclamation came only with each subsequent victory of the Union troops, leaving hundreds of thousands of Black Americans still living in bondage in Texas as the Army of the Trans-Mississippi fought on despite General Robert E. Lee's surrender on April 9, 1865; and,

WHEREAS, following additional months of violence, Union Major General Gordon Granger arrived in Galveston, Texas, on June 19, 1865, to enforce the Emancipation Proclamation, formally freeing the last of the Confederacy's enslaved people, though it shall not be forgotten that freedom did not reach enslaved people in certain border states until the Thirteenth Amendment took effect on December 18, 1865; and,

WHEREAS, June 19th, or Juneteenth, also known as Emancipation Day or Freedom Day, commemorates the Galveston announcement and has become a celebration of the freedom of our Black siblings and the social, economic, and cultural contributions they have made to these United States of America and Illinois; and,

WHEREAS, Juneteenth takes on an even greater significance as the United States contends with its long history of anti-Black policing and Jim Crow laws, which are the foundation for 21st century injustices; and,

WHEREAS, in the year 2021, white supremacist and white nationalist hate groups are on the rise around the world, and earlier this year we saw these groups involved in an assault on the United States Capitol that brought the Confederate flag into its hallowed halls for the first time in national history; and,

WHEREAS, guided by the Illinois Legislative Black Caucus, the Land of Lincoln has taken up a journey to actively dismantle systemic racism through robust reforms in the areas of criminal justice, education and workforce development, health care and human services, and economic access, equity, and opportunity;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, declare June 19th, 2021, as Juneteenth National Freedom Day, to be honored by all flags covered by the Illinois Flag Display

PROCLAMATIONS

Act flying at half-staff, and on this soon-to-be state holiday, urge all Illinois residents to reflect on our history, our future, and the actions we can take, individually and collectively, to truly build ourselves into the equitable nation of our ideals – a land of freedom and opportunity for all.

Issued by the Governor: June 16, 2021

Filed by the Secretary of State: June 16, 2021

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 45, Issue 27 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

86 - 130 8009

ADOPTED RULES

50 - 2018 6/21/2021 8024

35 - 307 6/21/2021 8035

35 - 310 6/21/2021 8061

EMERGENCY RULES

77 - 250 6/15/2021 8096

77 - 955 6/20/2021 8109

**EXECUTIVE ORDERS AND
PROCLAMATIONS**

21 - 95 5/3/2021 8147

21 - 96 5/3/2021 8147

21 - 97 5/4/2021 8149

21 - 98 5/5/2021 8149

21 - 99 5/5/2021 8150

21 - 100 5/5/2021 8151

21 - 101 5/7/2021 8152

21 - 102 5/7/2021 8153

21 - 103 5/7/2021 8154

21 - 104 5/11/2021 8155

21 - 105 5/11/2021 8156

21 - 106 6/11/2021 8156

21 - 107 5/12/2021 8157

21 - 108 5/13/2021 8158

21 - 109 5/13/2021 8159

21 - 110 5/13/2021 8160

21 - 111 5/13/2021 8161

21 - 112 5/14/2021 8162

21 - 113 5/24/2021 8162

21 - 114 5/24/2021 8163

21 - 115 5/25/2021 8164

21 - 116 5/25/2021 8165

21 - 117 5/25/2021 8165

21 - 118 5/25/2021 8167

21 - 119 5/26/2021 8168

21 - 120 5/26/2021 8168

21 - 121 6/16/2021 8169

REGULATORY AGENDA

44 - 1300 8120

35 - 211

..... 8122