**Section 2175.500 Proposals**

a) Rulemaking procedures are in the Board's procedural rules at 35 Ill. Adm. Code 102.

1) The Act provides for five types of rulemakings:

A) Identical-in-substance rulemakings, as defined in Sections 7.2, 10(H), 13.3, 13, 17.5, 22.4, 22.7, and 22.40, of the Act (415 ILCS 5/7.2, 10(H), 13.3, 13, 17.5, 22.4, 22.7, and 22.40) (see 35 Ill. Adm. Code 102.610);

B) Federally required rules, as defined in Section 28.2 of the Act [415 ILCS 5/28.2] (see 35 Ill. Adm. Code 102.Subpart E);

C) Other regulatory proposals, both of general applicability and not of general applicability, as allowed by Sections 26, 27, and 28 of the Act [415 ILCS 5/26, 27, and 28] (see 35 Ill. Adm. Code 102.Subpart B);

D) Clean Air Act fast-track rulemakings, as defined by Section 28.5 of the Act [415 ILCS 5/28.5] (see 35 Ill. Adm. Code 102.Subpart C); and

E) Updating incorporations by reference, as allowed by Section 28.6 of the Act [415 ILCS 5/28.6] (see 35 Ill. Adm. Code 102.211).

2) The IAPA provides for three types of rulemakings:

A) General rulemaking under Section 5-40 of the IAPA [5 ILCS 100/5-40], which includes first notice and second notice (see 35 Ill. Adm. Code 102.600-102.608);

B) Emergency rulemaking under Section 5-45 of the IAPA [5 ILCS 100/5-45] (see 35 Ill. Adm. Code 102.612); and

C) Peremptory rulemaking under Section 5-50 of the IAPA [5 ILCS 100/5-50] (35 Ill. Adm. Code 102.614).

b) Proposals for the adoption, amendment, or repeal of a substantive regulation may be made by the Agency, the Illinois Department of Natural Resources (Department), the Board, or any member of the public. Only the Agency may propose a Clean Air Act fast-track rulemaking [415 ILCS 5/28.5]. Proposals made by the Agency, Department, or Board are automatically scheduled for hearings.

c) In the case of a proposal made by a member of the public, the proposal must be accompanied by a petition signed by 200 persons, specifying home addresses, unless that requirement is waived by the Board. When the proposal is accompanied by a petition, the matter is placed on the agenda for Board decision.

(Source: Amended at 44 Ill. Reg. 14166, effective August 21, 2020)