**Section 102.302 Agency Proposal**

a) When proposing a regulation required by the CAAA, the Agency proposal must meet the following requirements:

1) Set forth the proposed rule, which must be drafted in accordance with 1 Ill. Adm. Code 100.Subpart C;

2) Include a cover sheet that prominently states that the Agency proposes the rule under Section 28.5 of the Act, *unless another provision of the Act specifies the method for adopting a specific rule* [415 ILCS 5/28.5(c)];

3) *Clearly identify the provisions and portions of the federal statute, regulations, guidance, policy statement, or other documents upon which the rule is based* [415 ILCS 5/28.5(e)(3)];

4) Include *supporting documentation for the rule that summarizes the basis of the rule* [415 ILCS 5/28.5(e)(4)];

5) *Describe* *in general the alternative selected and the basis for the alternative* [415 ILCS 5/28.5(e)(5)];

6) Summarize the economic and technical data that the Agency relied upon in drafting the proposed rule;

7) Include a list of any documents that the Agency directly relied upon in drafting the proposed rule or that the Agency intends to rely upon at hearing, and copies of the documents;

8) Set forth *a description of the geographical area to which the rule is intended to apply, a description of the process or processes affected, and identification by classes of the entities expected to be affected, and a list of sources expected to be affected by the rule to the extent known to the Agency* [415 ILCS 5/28.5(e)(8)];

9) Include a *descriptive title or other description of any published study or research report used in developing the rule, the identity of the person who performed such study, and a description of where the public may obtain a copy of any such study or research report. If the study was performed by an agency or by a person or entity that contracted with the agency for the performance of the study, the agency shall also make copies of the underlying data available to members of the public upon request if the data are not protected from disclosure under* FOIA.[5 ILCS 100/5-40(3.5)]; and

10) Include an electronic version of the information required under subsection (a)(1) in Microsoft Word for Windows, version 6.0 or greater.

b) If the proposal fails to meet any of the requirements of subsection (a), the Board may decide not to accept the proposal for filing.

(Source: Amended at 41 Ill. Reg. 10002, effective July 5, 2017)