**Section 102.410 Authorization of Hearing**

a) All regulatory proposals will be placed on the Board agenda for determination of adequacy under the applicable law and this Part. The proponent must cure any inadequacy identified by Board order before the proposal will proceed to hearing.

b) The Board will schedule a hearing on a proposal if it finds that the proposal is *supported by an adequate statement of reasons, is accompanied by a petition signed by at least 200 persons, is not plainly devoid of merit and does not deal with a subject on which a hearing has been held within the preceding six months.* [415 ILCS 5/28(a)]

c) In accordance with Section 28(a) of the Act, if a proposal is made by the Agency, or DNR, *the Board shall schedule a public hearing without regard to the above conditions* in subsection (b) as soon as practicable. [415 ILCS 5/28(a)]

d) Under Section 28 of the Act, *the Board may also in its discretion schedule a public hearing upon any proposal without regard to the above conditions in* subsection (b). [415 ILCS 5/28(a)]

e) If the Board determines that a proposal meets the requirements of subsection (b) or is otherwise adequate under applicable law, and if any required filing fee has been paid, the Board will issue an order accepting the proposal for hearing. Such an order will be construed as starting the time clock for purposes of any first notice publication deadlines under Sections 28.2 and 28.5 of the Act.

f) When the Board authorizes a hearing, the Chairman will designate one or more attending Board members and a qualified hearing officer. A member of the Board may serve as hearing officer if otherwise qualified.

g) The Board may consolidate proposals for hearing or decision.

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