**Section 103.402 Interim Order**

a) The Board will enter an interim order invoking the procedures of this Subpart on its own motion or on the motion of any party. Before the Board enters an interim order, the parties must develop, through hearings or admissions under 35 Ill. Adm. Code 101.Subpart F, a sufficient record to support the findings that the Board must make in subsection (b).

b) An interim order invoking the procedures of this Subpart will include:

1) A finding or proposed finding of violation and any penalty or proposed monetary penalty;

2) A finding that the proceeding is an enforcement action that involves or may involve the issuance or modification of a RCRA permit;

3) Joinder of the Agency if it is not already a party; and

4) A time schedule for filing by the Agency of a partial draft permit.

c) The interim order is not a final order and may be appealed only with permission of the Board.

(Source: Amended at 41 Ill. Reg. 10032, effective July 5, 2017)