**Section 104.404 Request to Agency to Join as Co-Petitioner**

a) The Agency may, in its discretion, act as a co-petitioner in any adjusted standard proceeding.

b) Any person may request Agency assistance in initiating a petition for adjusted standard. The Agency may require the person to submit to the Agency any background information in the person's possession relevant to the adjusted standard that is sought.

c) Discretionary decisions made by the Agency under this Section are not appealable to the Board.

d) Subsequent to the filing of the petition and prior to hearing, the Board will grant the Agency co-petitioner status upon joint motion of the Agency and the petitioner who originally filed the petition.

(Source: Amended at 41 Ill. Reg. 10049, effective July 5, 2017)