**Section 240.125 Notice**

a) Except for notices of noncompliance issued under Section 240.140 and Director's decisions issued under Section 240.160, whenever the Department is required by the Act or this Part to serve notice upon a permittee, the Department shall give written notice to that person, personally or by certified mail with return receipt requested, sent to the address submitted by permittee as set forth in Section 240.1710. *Permittees shall sign certified mail returned receipts for all mail received from the Department.* (Section 9.1(b) of the Act)

b) Notice by Publication

1) *If notice sent by certified mail is returned unsigned or undelivered, and upon due inquiry, the permittee cannot be found for personal delivery, the Department shall provide written notice of a hearing or other proceeding by a single publication of the notice in a newspaper published in the county where the well or wells at issue are located*. (Section 9.1(c) of the Act)

2) *If there is no newspaper published in that county, then the publication shall be in a newspaper published in an adjoining county in this State having a circulation in the county where the well or wells are located.* (Section 9.1(c) of the Act)

3) *The Department shall, within 10 days after the publication of the newspaper notice, send a copy of the notice,* by certified mail with return receipt requested, to the address submitted by the permittee as set forth in Section 240.1710. (Section 9.1(c) of the Act)

4) *The certificate of an authorized representative of the Department that newspaper notice was published and that a copy of the newspaper notice has been sent to the permittee pursuant to subsection* (b)(3) *is evidence that the Department has properly provided notice to the permittee for the hearing or other proceeding.* (Section 9.1(c) of the Act)

5) *Any notice required to be provided to a permittee under the Act or this Part shall include the identification of the well or wells at issue, the date, time, place and nature of the hearing or other proceeding, and the name and contact information of the Department where additional information can be obtained.* (Section 9.1(d) of the Act)

(Source: Amended at 43 Ill. Reg. 10459, effective September 6, 2019)