
ILLINOIS

REGISTER



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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2023

Issue#	Rules Due Date	Date of Issue
1	December 27, 2022	January 6, 2023
2	January 3, 2023	January 13, 2023
3	January 9, 2023	January 20, 2023
4	January 17, 2023	January 27, 2023
5	January 23, 2023	February 3, 2023
6	January 30, 2023	February 10, 2023
7	February 6, 2023	February 17, 2023
8	February 14, 2023	February 24, 2023
9	February 21, 2023	March 3, 2023
10	February 27 2023	March 10, 2023
11	March 6, 2023	March 17, 2023
12	March 13, 2023	March 24, 2023
13	March 20, 2023	March 31, 2023
14	March 27, 2023	April 7, 2023
15	April 3, 2023	April 14, 2023
16	April 10, 2023	April 21, 2023
17	April 17, 2023	April 28, 2023
18	April 24, 2023	May 5, 2023
19	May 1, 2023	May 12, 2023
20	May 8, 2023	May 19, 2023
21	May 15, 2023	May 26, 2023

22	May 22, 2023	June 2, 2023
23	May 30, 2023	June 9, 2023
24	June 5, 2023	June 16, 2023
25	June 12, 2023	June 23, 2023
26	June 20, 2023	June 30, 2023
27	June 26, 2023	July 7, 2023
28	July 3, 2023	July 14, 2023
29	July 10, 2023	July 21, 2023
30	July 17, 2023	July 28, 2023
31	July 24, 2023	August 4, 2023
32	July 31, 2023	August 11, 2023
33	August 7, 2023	August 18, 2023
34	August 14, 2023	August 25, 2023
35	August 21, 2023	September 1, 2023
36	August 28, 2023	September 8, 2023
37	September 5, 2023	September 15, 2023
38	September 11, 2023	September 22, 2023
39	September 18, 2023	September 29, 2023
40	September 25, 2023	October 6, 2023
41	October 2, 2023	October 13, 2023
42	October 10, 2023	October 20, 2023
43	October 16, 2023	October 27, 2023
44	October 23, 2023	November 3, 2023
45	October 30, 2023	November 13, 2023
46	November 6, 2023	November 17, 2023
47	November 13, 2023	November 27, 2023
48	November 20, 2023	December 1, 2023
49	November 27, 2023	December 8, 2023
50	December 4, 2023	December 15, 2023
51	December 11, 2023	December 26, 2023
52	December 18, 2023	December 29, 2023

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: General Grantmaking (EPA)
- 2) Code Citation: 44 Ill. Adm. Code 7070
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
7070.10	New Section
7070.20	New Section
7070.30	New Section
7070.40	New Section
- 4) Statutory Authority: Implementing and authorized by Section 50 of the Grant Accountability and Transparency Act [30 ILCS 708/50].
- 5) A Complete Description of the Subjects and Issues Involved: Section 50 of the Grant Accountability and Transparency Act requires State agencies making State awards to non-federal entities to adopt by rule 2 CFR 200. Illinois EPA makes State awards to non-federal entities and is therefore required to adopt 2 CFR 200.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? Yes
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will add Part 7070 to Title 44 to comply with Section 50 of the Grant Accountability and Transparency Act. [30 ILCS 708/50] It does not create or expand a State mandate under the State Mandates Act. 30 ILCS 805.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this Notice to:

Christine Zeivel
Assistant Counsel
Illinois Environmental Protection Agency
Division of Legal Counsel

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULES

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christine.zeivel@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Section 50 of the Grant Accountability and Transparency Act requires State agencies making State awards to non-federal entities to adopt the federal GATA rules at 2 CFR 200. [30 ILCS 708/50] Non-federal entities receiving state awards would include small business, small municipalities, and not for profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No adverse impact on small business is expected.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the two most recent agendas because it was generated after the January Agenda and submitted before the July Agenda.

The full text of the Proposed Rule begins on the next page:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULES

TITLE 44: GOVERNMENTAL CONTRACTS, GRANTMAKING,
PROCUREMENT AND PROPERTY MANAGEMENT
SUBTITLE F: GRANTMAKING
CHAPTER VII: ENVIRONMENTAL PROTECTION AGENCY

PART 7070
GENERAL GRANTMAKING (EPA)

Section	
7070.10	Scope
7070.20	Definitions
7070.30	Incorporations by Reference
7070.40	Exceptions and Exemptions

AUTHORITY: Implementing and authorized by Section 50 of the Grant Accountability and Transparency Act [30 ILCS 708/50].

SOURCE: Adopted at 47 Ill. Reg. _____, effective _____.

Section 7070.10 Scope

This Part applies to all nonfederal entities that receive State and federal pass-through grant awards from the Agency. These requirements do not apply to private grant awards.

Section 7070.20 Definitions

The terminology equivalencies listed at 44 Ill. Adm. Code 7000.200(b)(1) shall be used for State funded grants.

"Agency" means the Illinois Environmental Protection Agency.

"Catalog of State Financial Assistance" or "CSFA" means the single, authoritative, Statewide, comprehensive source document of State financial assistance program information maintained by the Governor's Office of Management and Budget (available at <http://grants.illinois.gov>).

"CFR" means the Code of Federal Regulations.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULES

"GATA" means the Grant Accountability and Transparency Act [30 ILCS 708/1 et seq.].

"GATU" means the Grant Accountability and Transparency Unit within the Illinois Governor's Office of Management and Budget.

Section 7070.30 Incorporation by Reference

- a) EPA incorporates by reference 2 CFR 200, Subparts A through F and Appendices I through XII as those Parts were in effect on March 1, 2023, except as otherwise indicated at 44 Ill. Adm. Code 7000, or as recorded in the Illinois Catalog of State Financial Assistance. No later amendments or editions of the CFR are incorporated.
- b) Copies of the materials that have been incorporated by reference in this Part are available online via the U.S. Government Publishing Office at <http://www.ecfr.gov> or the Agency's website at <http://epa.illinois.gov/topics/grants-loans.html>.

Section 7070.40 Exceptions and Exemptions

The Agency may submit a request for program-specific exceptions or exemptions from GATA. Those exceptions or exemptions granted by GATU will be recorded in the CFSA. This Part is not applicable when different provisions are required by State or federal law.