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Secretary of State

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity 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 or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains 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. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1992

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 17, 1991	Dec. 24, 1991	1	Jan. 3, 1992	June 23, 1992	June 30, 1992	28	July 10, 1992
Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992	June 30, 1992	July 7, 1992	29	July 17, 1992
Dec. 31, 99	Jan. 7, 1992	3	Jan. 17, 1992	July 7, 1992	July 14, 1992	30	July 24, 1992
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May 5, 1992	May 12, 1992	21	May 22, 1992	Nov. 10, 1992	Nov. 17, 1992	48	Nov. 30, 1992 (Mon.)
May 12, 1992	May 19, 1992	22	May 29, 1992	Nov. 17, 1992	Nov. 24, 1992	49	Dec. 4, 1992
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June 16, 1992	June 23, 1992	27	July 6, 1992 (Mo)	Dec. 22, 1992	Dec. 29, 1992	2	Jan. 8, 1993

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication on this notice. Comments should be submitted to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe
Springfield, Illinois 62701-1498
217/524-1983

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

B) Types of small businesses affected: Child welfare agencies, child care institutions

C) Reporting, bookkeeping or other procedures required for compliance: These amendments require that child welfare agencies and child care institutions search for relatives who may be appropriate caregivers for related children and document their attempts to locate such relatives. These amendments also require that parents, children (if over age 7), possible relative caregivers, and the child's guardian ad item and attorney be given notice when a relative has been denied the placement of a related child.

D) Types of professional skills necessary for compliance: Simple research and documentation requirements. Typing and clerical skills.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: Services Delivered by the Department

2) Code Citation: 89 Ill. Adm. Code 302

3) Section Numbers: Proposed Action

302.390 Amend

4) Statutory Authority: Implementing and authorized by Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, pars. 5005 et seq.)

5) A Complete Description of the Subjects and Issues Involved: On May 20, 1992, the Department entered into a consent decree with Plaintiff Michelle Reid and other persons who are similarly situated, as represented by their legal counsel, the Office of the Public Guardian, the Northwestern University Legal Clinic and the Legal Aid Bureau. This consent decree requires the Department to make reasonable attempts to identify relatives who may be willing to serve as caregivers when related children are placed in care. The decree outlines the steps necessary to identify possible relative caregivers, requires the Department to explain the differences between public guardianship and private guardianship to possible relative caregivers, to advise relatives that they may seek a waiver of approval standards, and that, in many circumstances, the Department is obligated to grant the waiver request. The decree also outlines the requirements for notices to relatives, parents, children, and others when a relative placement is denied.

6) Will this proposed Amendments replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date: Yes X No

8) Does these proposed Amendments contain incorporations by reference? No.

9) Are there any other amendments pending on this Part? Yes.
Section Numbers Proposed Action
302.20 Amend
Illinois Register Citation
16 Ill. Reg. 7565 (Volume 16, Issue 10, May 15, 1992)

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3 (b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2003).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
 SUBCHAPTER a: SERVICE DELIVERY

PART 302
 SERVICES DELIVERED BY THE DEPARTMENT

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Section	
302.10	Purpose
302.20	Definitions
302.30	Introduction
302.40	Department Service Goals
302.50	Functions in Support of Services

SUBPART B: REPORTS OF SUSPECTED CHILD ABUSE OR NEGLECT (Recodified)

Section	
302.100	Reporting Child Abuse or Neglect to the Department (Recodified)
302.110	Content of Child Abuse or Neglect Reports (Recodified)
302.120	Transmittal of Child Abuse or Neglect Reports (Recodified)
302.130	Special Types of Reports (Recodified)
302.140	Referral to Local Law Enforcement and State's Attorney (Recodified)
302.150	Delegation of the Investigation (Recodified)
302.160	The Investigative Process (Recodified)
302.170	Taking Children Into Temporary Protective Custody (Recodified)
302.180	Notification of the Determination Whether Child Abuse or Neglect Occurred (Recodified)
302.190	Referral for Other Services (Recodified)

SUBPART C: DEPARTMENT CHILD WELFARE SERVICES

Section	
302.300	Adoptive Placement Services
302.305	Adoption Listing Service for Special Needs Children
302.310	Adoption Assistance
302.311	Nonrecurring Adoption Expenses
302.315	Adoption Registry
302.320	Counseling or Casework Services
302.330	Day Care Services
302.340	Emergency Caretaker Services
302.350	Family Planning Services
302.360	Health Care Services
302.370	Homemaker Services
302.380	Information and Referral Services
302.390	Placement Services
302.400	Successor Guardianship

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

SUBPART D: INTENSIVE FAMILY PRESERVATION SERVICES

Section	
302.500	Purpose
302.510	Implementation of the Family Preservation Act
302.520	Types of Intensive Family Preservation Services
302.530	Phase-in Plan for Statewide Family Preservation Services
302.540	Time Frames

APPENDIX A: ACKNOWLEDGEMENT OF MANDATED REPORTER STATUS (RECODIFIED)

AUTHORITY: Implementing and authorized by Section 5 et seq. of The Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, pars. 5005 et seq.); Section 3-6-2(g) of the Unified Code of Corrections (Ill. Rev. Stat. 1991, ch. 38, par. 1003-6-2(g)); Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1991, ch. 111½, par. 6351-3 et seq.); the Adoption Assistance and Child Welfare Act of 1980 (42 U.S.C.A. 670 et seq.; 45 CFR 1356.40 and 1356.41; Section 1-1 et seq. of the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1991, ch. 37, pars. 801.1 et seq.), The Adoption Act (Ill. Rev. Stat. 1991, ch. 40, par. 1501 et seq.).

SOURCE: Adopted and codified at 5 Ill. Reg. 13188, effective November 30, 1981; amended at 6 Ill. Reg. 15529, effective January 1, 1983; recodified at 8 Ill. Reg. 992; peremptory amendment at 8 Ill. Reg. 5373, effective April 12, 1984; amended at 8 Ill. Reg. 12143, effective July 9, 1984; amended at 9 Ill. Reg. 2467, effective March 1, 1985; amended at 9 Ill. Reg. 9104, effective June 14, 1985; amended at 9 Ill. Reg. 18520, effective November 1, 1985; amended at 10 Ill. Reg. 5557, effective April 15, 1986; amended at 11 Ill. Reg. 1390, effective January 13, 1987; amended at 11 Ill. Reg. 1551, effective January 14, 1987; amended at 11 Ill. Reg. 1829, effective January 15, 1987; recodified to 89 Ill. Adm. Code 300 at 11 Ill. Reg. 3492, Sections 302.20, 302.100, 302.110, 302.120, 302.130, 302.140, 302.150, 302.160, 302.170, 302.180, 302.190, Appendix A; amended at 13 Ill. Reg. 18847, effective November 15, 1989; amended at 14 Ill. Reg. 3438, effective March 1, 1990; amended at 14 Ill. Reg. 16430, effective September 25, 1990; amended at 14 Ill. Reg. 19010, effective November 15, 1990; amended at 16 Ill. Reg. effective

NOTICE OF PROPOSED AMENDMENTS

Section 302.390 Placement Services

a) When Placement is Appropriate

1) Placement services are not offered unless appropriate family preservation services have been provided to the family, or the children's safety and well-being are endangered as defined in Section 302.390 (d), and other services are deemed insufficient to ensure their safety and well-being, placement services shall be provided even though other appropriate services have not been offered.

2) Other than situations where emergency placement is necessary, the family shall be offered an appropriate mix of services directed at family preservation to supplement their parenting skills or to resolve or alleviate family problems which threaten to harm the child. Services directed toward family preservation shall be offered and will be identified in the service plan. When services are unsuccessful, or are offered to and refused by the family, the child may be placed in accordance with applicable legal procedures.

3) Generality-for-children-in-placement-is-family-reunification: When efforts toward achieving family reunification fail to result in a home environment that is consistent with the child's safety and well-being, a new permanent legal status and permanent living situation shall be sought in accordance with the child's needs.

b) Placement is Temporary
Placement is intended to be a temporary situation for the children during the time that the parents' ability to care for the child is being evaluated or the parents are receiving services to alleviate the problems in the home so the family can be reunited.

c) Legal Authority to Place
The Department shall not place children until it has the appropriate legal authority to do so. Such legal authority includes: temporary protective custody in accordance with the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1991, ch. 23, par. 2051); an adoptive surrender(s) in accordance with the Adoption Act (Ill. Rev. Stat. 1985 1991, ch. 40, par. 1501 et seq.); custody or guardianship in accordance with the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1985 1991, ch. 37, par. 701-1 et seq.); or temporary custody with written

NOTICE OF PROPOSED AMENDMENTS

consent of the parent(s) or, if the child is not in the custody of either parent, written consent of the guardian or custodian of the child, in accordance with An Act creating the Illinois Department of Children and Family Services: The Children and Family Services Act. A written consent from a parent, guardian or legal custodian requesting temporary placement services for their child(ren) is known as a voluntary placement agreement. A voluntary placement agreement may be entered into for a maximum of 60 days and requires prior written approval of the administrator in charge of the Department region or his designee. A voluntary placement agreement may be renewed for an additional 60 days only with the prior non-delegable written approval of the administrator in charge of the Department region.

d) Emergency Placement

Emergency placement services shall be provided immediately when other services will not ensure the safety of the child when the Department has reason to believe:

1) that leaving the child in the home of his caretaker would present an imminent danger to the child's safety and well-being; or

2) that the parent(s) of a child who has been left unsupervised and is unable to care for himself cannot be readily located and emergency caretaker services are not available; or

3) that services directed toward keeping the family together would not sufficiently protect the child from life-threatening or severe physical injury and would, therefore, endanger the child's safety and well-being; or

4) that the child appears to be severely ill or injured and the parent or caretaker is unable to care for the child in this situation; or

5) the child is abandoned; or

6) the child is a runaway in accordance with 89 Ill. Adm. Code 329, Return of Runaway Children.

e) Placement Selection

When children are removed from the care of a custodial parent, the Department shall explore whether the non-custodial parent would be a suitable caregiver to the children. If the non-custodial parent is not a suitable caregiver for the children, placement in substitute care shall be considered.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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Children who need placement shall:

- 1) be placed, if possible and appropriate, with a specified relative in accordance with the provisions of 89 Ill. Adm. Code 335 (Relative Home Placement);
- 3) ~~be placed; if possible; in a home that most closely approximates the religious and cultural background of the biological family; and~~
- 2) ~~1)~~ be placed in the least restrictive setting which most closely approximates a family and in which the children's needs will be met; which is consistent with the best interest of the children; and
- 3) ~~2)~~ be placed within reasonable proximity to their homes; and within the same school district, whenever possible, taking into account any special needs of the child and family and the availability of the service resources needed for the child and family; and
- 4) ~~be placed in the home of a relative when the child can benefit from the relationship between the parent(s); the relative; and the child; and~~
- 4) ~~5)~~ be placed, if a child of American Indian heritage, according to criteria described in 89 Ill. Adm. Code 307, Indian Child Welfare Services.

g) f) Foster Family Home Care

- 1) Foster family home care is provided in licensed foster family homes for children who cannot remain home and who can benefit from a family structure of care. The Department shall have legal responsibility for the child before the child is placed in a foster family home.
- 2) Although foster family home care is generally provided to children whose parents are unable or unwilling to protect or care for them, it is also available for hearing impaired children who require special education not available in their home communities. The Department is not legally responsible for the children receiving this unique placement service. Care is provided in cooperation with the Illinois State Board of Education.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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f) g) Relative Home Care

~~Relative home care shall be explored for all children for whom the Department is legally responsible who need a family structured living arrangement. Placement shall be made only with relative caretakers approved by the Department as meeting the licensing standards for foster family home applicants. Refer to 89 Ill. Adm. Code 335, Relative Home Placement.~~

- 1) Specified relatives, as defined in 89 Ill. Adm. Code 335, shall be given preference and first consideration over more distant relatives and non-relatives when selecting the placement for children for whom the Department is legally responsible. Department or private agency staff shall make reasonable attempts to identify, contact, and assess relatives who can meet the requirements of 89 Ill. Adm. Code 335, Relative Home Placement, and who are willing to provide care to related children.
- 2) When more than one relative has been identified who is willing to act as a caregiver to the related children, the Department or private agency provider shall select the relative who most closely meets the placement selection criteria in 89 Ill. Adm. Code 302, Section 302.390 (e), Placement Selection, and who will work cooperatively with the parents and the Department to achieve permanency for the related children.

h) Residential Care

Residential care is provided in licensed group homes and residential care facilities (child care institutions and intermediate or skilled nursing care facilities). Group homes are considered to be a less restrictive environment than an institutional setting. Group home care is provided for teenagers unable to adjust to family living who need a less structured living situation than is provided in residential care facilities. Placement in a residential care facility shall be made only when no other less restrictive setting is appropriate for:

- 1) children requiring intensive services to change behaviors which significantly interfere with their ability to cope with daily life or which preclude placement in a family setting; or
- 2) children who require long term care on an ongoing basis in an intermediate or skilled nursing care facility because of a severe physical or mental handicap; or

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

3) children who require long term care on an ongoing basis because of a severe emotional handicap.

(Source: Amended at 16 Ill. Reg. , effective)

NOTICE OF PROPOSED RULES

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

1)

Heading of the Part: Americans with Disabilities Act Grievance Procedure

2)

Code Citation: 4 Ill. Adm. Code 800

3)

Section Numbers:

Proposed Action:

- 800.10 New Section
- 800.20 New Section
- 800.30 New Section
- 800.40 New Section
- 800.50 New Section
- 800.60 New Section
- 800.70 New Section
- 800.80 New Section
- Appendix A New Section

4)

Statutory Authority: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and as authorized by Section 2006 of the Illinois Planning Council on Developmental Disabilities Law (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1956).

5)

A Complete Description of the Subjects and Issues Involved:

As required by the Americans with Disabilities Act of 1990, these proposed rules establish a procedure whereby qualified persons with disabilities may resolve allegations of discrimination on the basis of disability.

6)

Will this proposed rule replace an emergency rule currently in effect? No

7)

Does this rulemaking contain an automatic repeal date? No

8)

Does this proposed rule contain incorporations by reference? No

9)

Are there any other proposed amendments pending on this Part? No

10)

Statement of Statewide Policy Objectives: These rules will not create, enlarge or modify a State mandate on local governments.

11)

Time, Place, and Manner in which interested persons may comment on the proposed rulemaking:

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED RULES

Interested parties may submit written comments within 45 days of this notice, to the attention of:

Ms. Kerry Flynn
Illinois Planning Council on Developmental Disabilities
830 South Spring Street
Springfield, Illinois 62704

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

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

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED RULES

TITLE 4: GRIEVANCE PROCEDURES
CHAPTER XXIX: ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

PART 800

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

- Section 800.10 Purpose
- Section 800.20 Definitions
- Section 800.30 Grievances
- Section 800.40 Manner of Filing
- Section 800.50 Initial Response
- Section 800.60 Review
- Section 800.70 Accessibility
- Section 800.80 Case-by-Case Resolution
- Appendix A Grievance Form

AUTHORITY: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and as authorized by Section 2006 of the Illinois Planning Council on Developmental Disabilities Law (Ill. Rev. Stat., 1991, ch. 91 1/2, par. 1956).

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

Section 800.10 Purpose

- a) This Part establishes an Americans with Disabilities Act Grievance Procedure pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) (ADA), and specifically Section 35.107 of the Title II regulations (28 CFR 35.107) requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the designated coordinator.
- b) In general, the ADA requires that each program, service, and activity offered by the Illinois Planning Council on Developmental Disabilities (Council), when viewed in its entirety, be readily accessible to and usable by qualified individuals

NOTICE OF PROPOSED RULES

with disabilities.

(c) It is the intention of the Council to foster open communication with all individuals requesting readily accessible programs, services and activities. The Council encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

Section 800.20 Definitions

a) A "grievance" is any complaint under the ADA by an individual with a disability who:

1) meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Council, and

2) believes he or she has been excluded from participation in, or denied the benefits of any program, service or activity of the Council or has been subject to discrimination by the Council, on the basis of his or her disability.

b) A "complainant" is an individual with a disability who files a grievance on the form set out in Appendix A of this Part.

c) The "designated coordinator" is the person appointed by the Director of the Council who is responsible for the coordination of efforts of the Council to comply with and carry out its responsibilities under Title II of the ADA, including the investigation of grievances filed by complainants. The designated coordinator for the Council can be contacted at the Illinois Planning Council on Developmental Disabilities, 830 South Spring, Springfield, Illinois 62704 (217) 782-9696 (voice) or (312) 814-7151 (TDD).

d) "Director" means the Director of the Illinois Planning Council on Developmental Disabilities.

Section 800.30 Grievances

a) The Council will endeavor to respond to and resolve grievances without the need to resort to the formal grievance procedure established by this Part. A person who wishes to avail himself or herself of the formal procedure, however, may do

NOTICE OF PROPOSED RULES

so only by filing a grievance within 180 calendar days of the alleged discrimination in the form and manner prescribed in Section 800.40 of this Part.

b) The Council shall provide a copy of the grievance procedure and required complaint form to anyone who requests it or expresses a desire to file a formal grievance.

Section 800.40 Manner of Filing

a) The filing of a grievance is accomplished by the complainant's submission of a grievance in writing to the designated coordinator on the prescribed form. (See Appendix A of this Part)

b) In order to be deemed filed and to receive proper consideration by the designated coordinator, the grievance form must be completed in full except as otherwise indicated on the form. The designated coordinator will notify the complainant within ten business days of the receipt of the form if the filing is not complete. The Council will assist with completion of the grievance form upon request.

Section 800.50 Initial Response

The designated coordinator, or his/her representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The designated coordinator shall provide a written response to the complainant and the Director within ten (10) business days after receipt of the grievance form.

Section 800.60 Review

a) If the grievance has not been resolved by the designated coordinator to the satisfaction of the complainant, the complainant may submit a copy of the grievance form and designated coordinator's response to the Director, together with a short written statement explaining the reason(s) for dissatisfaction with the designated coordinator's written response. The Director will extend the period for submitting the review request and supporting documents for up to ten (10) additional days upon complainant's request.

b) The Director shall appoint a three (3) member panel to review the grievance. One member so appointed shall be designated chairman.

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NOTICE OF PROPOSED RULES

- c) The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his/her behalf. The panel shall review the designated coordinator's written response and may conduct interviews and seek advice as it deems appropriate.
- d) The panel shall make recommendations in writing to the Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may also make a signed, written recommendation to the Director.
- e) Upon receipt of recommendations from a panel, the Director shall approve, disapprove or modify the panel recommendations, shall render a decision thereon in writing, shall state the basis therefor, and shall cause a copy of the decision to be served on the parties. The Director's decision shall be final. If the Director disapproves or modifies the Panel's recommendations, the Director shall include written reasons for such disapproval or modification.
- f) A complainant's failure to appeal the designated coordinator's response for review by the Director within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given by the coordinator.

Section 800.70 Accessibility

The Council shall ensure that all stages of the grievance procedure are readily accessible and usable by individuals with disabilities.

Section 800.80 Case-by-Case Resolution

Each grievance involves a unique set of factors which include but are not limited to: the specific nature of the disability; the essential eligibility requirements for, the benefits to be derived from, and the nature of the service, program or activity at issue; the health and safety of others; and, whether or not an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Council. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

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Appendix A: Grievance Form

Grievance
Discrimination Based on Disability

It is the policy of the Illinois Planning Council on Developmental Disabilities to provide assistance in filling out this form. If assistance is needed, please ask:

ADA Coordinator - Illinois Planning Council on Developmental Disabilities
830 South Spring Street
Springfield, Illinois 62704
(217) 782-9696 (Voice)
(312) 814-7151 (TDD)

Name: _____

Address: _____

City, State and Zip Code: _____

Telephone No.: _____

Program, Service, or Activity to which Access was Denied or in which Alleged Discrimination occurred: _____

Date of Alleged Discrimination: _____

Nature of Alleged Discrimination: _____

(Attach additional sheets, if necessary. If the grievance is based on a denial of requested reasonable modification, please fill out the back of this form.)

I certify that I am qualified or otherwise eligible to participate in the program, service or activity and the above statements are true to the best of my knowledge and belief.

Signature _____ Date _____

Please give to the ADA Coordinator at the address listed above.

For Office Use Only

Date Received: _____ By: _____

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(BACK OF FORM)

Please fill out this part of the form if this grievance is based upon the denial of a requested reasonable modification. A reasonable modification will be made to make programs, services, and activities accessible. Reasonable modifications could include such things as providing auxiliary aides and devices and changing some policies and requirements to allow an individual with a disability to participate. This portion of the form should be filled into the extent you know the answers. The form may be submitted even if this portion is incomplete.

Reasonable Modification Requested:

The Date the Reasonable Modification was Requested:

The Person to whom the Request was made:

The Reason for Denial:

Estimated Cost of Modification (If an Assistive Device, such as a TDD or optical reader, or Commodity or Service to which a Cost is Readily Known):

Why is the requested modification necessary to use or participate in the program, service, or activity?

Alternative modifications which may provide accessibility:

Any other information you believe will aid in a fair resolution of this grievance.

NOTICE OF PROPOSED RULES

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

- 1) Heading of the Part: Grants
- 2) Code Citation: 59 Ill. Adm. Code 400
- 3) Section Numbers:
Proposed Action:

400.10	New Section
400.20	New Section
400.30	New Section
400.40	New Section
400.50	New Section
400.60	New Section
400.70	New Section
400.80	New Section
400.90	New Section
400.100	New Section
400.110	New Section
400.120	New Section

4) Statutory Authority: Implementing and authorized by the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1004.01 and the Illinois Planning Council on Developmental Disabilities Law (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1951 et seq.).

5) A Complete Description of the Subjects and Issues Involved:
This rulemaking explains how to apply for grants, what information is considered in approving grants, and grants award requirements.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: The rulemaking neither creates nor expands any State mandates.

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED RULES

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Ms. Kerry Flynn
 Illinois Planning Council on Developmental Disabilities
 830 South Spring
 Springfield, Illinois 62704
 (217) 782-9696

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rules were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 16, 1992
- B) Types of small businesses affected: The Council does not believe that small businesses or municipalities will be affected by these proposed rules.
- C) Reporting, bookkeeping or other procedures required for compliance: The Council does not believe that small businesses will be affected by these proposed rules.
- D) Types of professional skills necessary for compliance: None known.

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

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED RULES

TITLE 59: MENTAL HEALTH
 CHAPTER IV: ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL
 DISABILITIES

PART 400
 GRANTS

- Section
- 400.10 Purpose
- 400.20 Definitions
- 400.30 Notice, General Characteristics of, and Eligibility for Grants
- 400.40 Grant Applications
- 400.50 Approval of Applications/Proposals
- 400.60 Appeals Process
- 400.70 Quarterly and Final Reports
- 400.80 Monitoring and Evaluation
- 400.90 Suspension and Termination
- 400.100 Other Requirements
- 400.110 General Provisions - accounting
- 400.120 General Provisions - allowable expenses

AUTHORITY: Implementing and authorized by the Illinois Planning Council on Developmental Disabilities Law (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1951 et seq.)

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

Section 400.10 Purpose

The Illinois Planning Council on Developmental Disabilities is the recipient of federal funds under the State Basic Support Program under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.). For the purposes of this Act, the Council awards grants to individuals and organizations to implement activities in the Federal and State priority area activities, as identified in the State Plan. Such grants are used to make a significant contribution toward enhancing the independence, productivity, and integration of persons with developmental disabilities into the community. The purpose of these Rules is to explain how to apply for grants, what information is considered in awarding grants, and for grant awards.

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED RULES

Section 400.20 Definitions

As used in this Part, the following terms shall mean:

"Council": means the Illinois Planning Council on Developmental Disabilities.

"Director": means the Director of the Illinois Planning Council on

Developmental Disabilities or authorized representative.

"FFY": means Federal fiscal year.

"Federal Priority Area Activities": means activities and assistance for persons with developmental disabilities required under 42 U.S.C. 6000, et seq.

"Grant Agreement": means a form describing provisions of a grant award which must contain signatures of parties involved certifying agreement of contract.

"Grantee": means the recipient of Council funds.

"Project Period": means the length of time for which a grant is approved using Council funds.

"RFP": means a Request for Proposal.

"State Plan": means the Plan required under 42 U.S.C. 6000 et seq.

Section 400.30

Notice, General Characteristics of, and Eligibility for Grants

a) The Council provides grants for the following general purposes:

- 1) To provide initial start-up funding for projects in their developmental stages.
- 2) To fund demonstration or replication projects.
- 3) To provide technical assistance in state-of-the-art practices.
- 4) To provide research to promote the integration, productivity, and independence of people with developmental disabilities.

b)

The Council provides notice of the availability of RFPs through announcements disseminated to its mailing list comprised of state agencies, providers of services, people with developmental disabilities and their families, and other interested individuals.

Section 400.40 Grant Applications

NOTICE OF PROPOSED RULES

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

The public, including but not limited to individuals, for profit and not-for-profit agencies and organizations may apply for grants from the Council through a competitive RFP process. All proposals must provide a statement of assurance that:

a) If a grantee provides direct services to persons with developmental disabilities,

b) The preservation of all constitutional and other rights of persons with developmental disabilities will be maintained. Grant recipients must acknowledge receipt of and compliance with a complete list of these rights as found in Section 110 and required by Section 122(b)(6)(C) of the

Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1990 (42 U.S.C. 6000 et seq.).

c) Buildings used in connection with the programs and projects funded by the Council will meet the standards adopted pursuant to the Architectural Barriers Act of 1968 (42 U.S.C.A. 4151 et seq.).

d) Adherence to Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

e) Affirmative action is taken to employ and advance in employment qualified handicapped individuals on the same terms as required by the Rehabilitation Act of 1973.

f) Adherence to the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

g) Grantees who are not-for-profit agencies and institutions of higher education shall comply with the federal Office of Management and Budget (OMB) Circular No. A-133, "Audits of Institutions of Higher Education and Other Non-Profit Institutions"; and with the Single Audit Act of 1984 (31 U.S.C. 7501 et seq.) and OMB Circular No. A-128 as subrecipients of federal funds.

h) Grantees who are units of State and local governments shall comply with the Single Audit Act of 1984 and OMB Circular No. A-128, as subrecipients of federal funds. All other grantees shall comply by obtaining an audit of the Council funded project in accordance with subsection k) below.

i) Agree to enter into and comply with all stipulations as stated in the grant agreement, grant award letter, and/or any other written stipulations made by the Council.

j) Agree that any changes or amendments to the signed grant agreement must have the prior approval of the Director.

k) Provision of a drug free workplace and completion of a "Drug Free Workplace

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Certification." By completing this certification, the grantee certifies that they will not engage in the unlawful manufacture, distribution, possession or use of a controlled substance in the performance of the grant.

- k) Financial records for awards must satisfy the fiscal and audit requirements of the Council. Such records must fully disclose the amount and disposition of the proceeds of the grant funds; reflect the total cost of the project; disclose the amount of that portion of the cost of the project or undertaking supplied by other sources; and be made available to duly authorized representatives of the federal or state government for the purpose of audit and examination of any books, documents and records of the recipients of such funds.
- l) Funds awarded to the grantee will be expended not later than one year, unless stipulated otherwise by the Council, following the grant start-up and/or the date the grantee begins to incur expenses as specified in the grant agreement.
- m) If an application for a grant is filed by a corporation, the applicant must have the necessary legal authority to apply for and to receive the proposed grant. Proof of this authority shall be the signature of the Chief Executive Officer and a copy of the certificate of incorporation.
- n) The activities and services for which assistance is sought under the program will be administered by or under the supervision of the applicant in accordance with the laws and regulations applicable to the contract. Subcontractors must be approved at the time of initial application or by requesting the approval of the Director of the Council in writing during the course of the grant.
- o) The applicant is not prohibited from entering into a contract by Section 33E-3 or 33E-4 of the Criminal Code of 1961 (Ill. Rev. Stat. 1991, ch. 38, pars. 33E-3, 33E-4).
- p) The applicant is not prohibited from entering into a contract by Section 10.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132-10.1).
- q) The applicant is not prohibited from entering into a contract by Section 11.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1991, Ch. 127, par. 132-11.1).

Section 400.50 Approval of Applications/Proposals

- a) The Council shall review and select grant applications for award of funds from the pool of applications meeting the review criteria and which are postmarked on or before the due date specified in the RFP.
- b) The Council will use the following general review criteria:
 - 1) Project description and benefits - Whether the proposal adequately describes the intent of the RFP and its related activities and the benefits to people with developmental disabilities and their families.
 - 2) Project implementation and quality assurance - Whether the proposal

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

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describes an implementation strategy that sets forth measurable objectives, evaluation criteria, and timeframes for accomplishing each goal of the RFP on forms provided by the Council.

- 3) Budget - Whether the proposal accounts for its budget request by identifying specific uses of grant funds, (e.g. personnel, fringe, travel, commodities, etc.), on forms provided by the Council.
- 4) Project staff and qualifications - Whether the proposal provides adequate detail to demonstrate the proposer's capability and expertise to implement the project.

Section 400.60 Appeals Process

- a) Any individual or organization denied an award may appeal the decision. The request for an appeal must be based on the grounds that there was a misrepresentation of the proposal or that the review process hindered the proposal. A written request for appeal and the grounds for the appeal must be received by the Chairperson of the Council within thirty (30) calendar days of the denial.
- b) Within fourteen (14) calendar days of receipt of the request for an appeal, the Chairperson shall appoint an Appeals Committee from the membership of the Council. The membership of the Appeals Committee shall not include individuals who:
 - 1) Had a part in the funding decision; or
 - 2) Are affiliated with the individual or organization requesting the appeal.
- c) Within thirty (30) calendar days of appointment, the Appeals Committee shall convene a meeting and review any documentation presented by the individual or organization. The individual or organization will be invited to appear before the Appeals Committee.
 - 1) The individual or organization may submit any evidence which they believe is relevant to the appeal.
 - 2) The Appeals Committee may also request the individual or organization to supply additional information related to the issue.
 - 3) The Appeals Committee will advise the individual or organization of their decision in writing within ten (10) calendar days of their meeting and provide the reasons for denial or overturning the original decision.
- d) An individual or organization may withdraw the appeal at any time during the appeals process.
 - 1) The withdrawal shall be submitted in writing to the Chairperson of the Council.

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work to the Illinois Planning Council on Developmental Disabilities and shall contain a statement that the contents do not necessarily represent the policy of that agency.

3) All equipment with a unit cost of \$500 or more purchased by Council grant funds becomes the property of the Council unless stipulated otherwise in conjunction with the grant award.

c) A minimum of one hundred (100) copies of the final approved product shall be made available to the Council unless stipulated otherwise in the RFP.

Section 400.110 General Provisions - accounting

The applicant will maintain records on program and fiscal activities related to each award for a period of five (5) years, following the end of the grant period. Such records shall include a fiscal accounting for all funds in accordance with generally accepted governmental accounting principles.

Section 400.120 General Provisions - allowable expenses

Costs must meet the following criteria to be allowable expenses for Council grant award funds:

- a) Be necessary and reasonable to carry out the goals/intent of the approved project;
- b) Be authorized and not prohibited under the approved budget, federal, state or local laws or regulations;
- c) Conform to any specifications set forth in the approved project or Council Rules and grant monitoring procedures;
- d) Not be used to supplant services and activities from other funding sources;and
- e) Not exceed in total the approved budget amount.

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Payment Of Unemployment Contributions, Interest And Penalties
- 2) Code Citation: 56 Ill. Adm. Code 2765
- 3)

<u>Section Number:</u>	<u>Proposed Action:</u>
2765.5	Amended Section
2765.50	Amended Section
2765.64	New Section
2765.66	Amended Section
2765.70	Amended Section
2765.74	New Section
2765.75	Amended Section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 322, 382, 420, 431, 432, 433, 442, 451, 550, 551, 552, 553, 554, 555, 572.1, 573, 578, 579, 610, 611 and 750.
- 5) A Complete Description of the Subjects and Issues Involved:
 These proposed amendments set forth the conditions under which interest will be waived for a "client" company which failed to report wages because it was under the mistaken belief that the workers in question were the employees of an employee leasing company and the leasing company has reported those wages and paid contributions based on the wages.

 Also, occasionally, a small, newly organized nonprofit organization or local governmental entity will be fail to file its Report to Determine Liability as required by 56 Ill. Adm. Code 2760.105. This can result in its later failure to make timely payment of contributions. If these entities had properly filed their initial Reports, they could have elected to make payments in lieu of contributions. However, pursuant to the Act, such elections must be made within a short period after the entity became subject to the Act. As a result of not being able to make such election, the entity would be liable for quarterly contributions even if no claims were filed by its former employees. Under such circumstances, to ease the unbudgeted burden of paying all of the unpaid contributions, the Director will waive interest on such contributions up to sixty days after the date that the entity became aware of its liability under the Act.
- 6) Will the proposed amendment replace an emergency amendment currently in effect? No.

NOTICE OF PROPOSED AMENDMENT(S)

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain an incorporation by reference pursuant to Section 6.02 of the Illinois Administrative Procedure Act? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objective? Not Applicable.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Gregory J. Ramel, Acting Commissioner
Illinois Department of Employment Security
401 South State Street - 2nd Floor South
Chicago, IL 60605
312-793-2333.

12) Date rules were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 17, 1992.

Types of small businesses affected: All businesses subject to the Unemployment Insurance Act.

Reporting, bookkeeping or other procedures required for compliance: None.

Types of professional skills necessary for compliance: None.

The full text of the proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

PART 2765
PAYMENT OF UNEMPLOYMENT CONTRIBUTIONS, INTEREST AND PENALTIES

SUBPART A: GENERAL PROVISIONS

Section 2765.1

Unemployment contributions not deductible from wages

2765.5

Definitions

2765.10

Payment of contributions

2765.15

Liability for the entire year

2765.18

Liability of a third party purchaser or transferee for the due and unpaid contributions, interest and penalties of the seller or transferor's seller or transferor

2765.20

Contributions of employers by election

2765.25

Payments in lieu of contributions

2765.30

When payments in lieu of contributions payable

2765.35

Payments when reimbursable employer becomes contributory

2765.40

Payments when contributory employer becomes reimbursable

2765.45

Application of payment

2765.50

Accrual of interest

2765.55

Imposition of penalty

2765.60

Payment or filing by mail

2765.63

When payment due and consequences of upward revision in employer's contribution rate

2765.64

Consequences where an employee leasing company has erroneously reported wages and paid contributions which wages should have been reported and contributions paid by its client

2765.65

Waiver of interest or penalty

2765.66

Waiver of interest accruing because of certain types of employees for periods prior to January 1, 1988

2765.67

Partial waiver of interest where an employer has erroneously reported wages to the wrong state

2765.68

Waiver of penalty for certain employers for 1987 and thereafter wage reports

2765.69

Partial waiver of interest where an employer has erroneously paid its federal unemployment tax act (FUTA) tax in full but has failed to pay its Illinois unemployment insurance contributions

2765.70

Time-for-paying-or-filing-delayed-payment-or-reportholder-waiver-of-interest-for-certain-nonprofit-organizations-or-local-governmental-entities

2765.74

Time for paying or filing delayed payment or report application for waiver

2765.75

Application for waiver

2765.80

Approval of application for waiver

2765.85

Insufficient or incomplete application

2765.90

Disapproval of application conclusive

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NOTICE OF PROPOSED AMENDMENT(S)

2765.95 Appeal And Hearing

SUBPART B: EXPERIENCE RATING

2765.200 Effect Of A Successor Employing Unit's Failure To Notify
The Director Of Its Succession2765.210 Prohibition On Withdrawal Of Joint Application For
Partial Transfer Of Experience Rating Record

2765.220 Determination Of Benefit Wage And Benefit Ratio

2765.225 Requirement For Privity In Order To Have A Predecessor
Successor Relationship2765.228 No Requirement For Continuous Operation In Order For A
Predecessor Successor Relationship To Exist2765.230 Effect Of A Transfer Of Physical Assets On A Finding
That A Predecessor Successor Relationship Exists

SUBPART C: BENEFIT CHARGES

2765.325 Application Of "30 Day" Requirement For Determining The
Chargeable Employer Pursuant To Section 1502.1 Of The
Act2765.326 Requirement For A Separation Or A Reduction In The Work
Offered In Determining The Chargeable Employer Pursuant
To Section 1502.1 Of The Act2765.328 What Constitutes A Day For Purposes Of The "30 Day"
Requirement In Section 1502.1 Of The Act2765.332 Effect Of Ineligibility Under Section 602(B) On
Chargeability Under Section 1502.1 Of The Act2765.333 Effect Of Ineligibility Under Section 612 On Charge-
ability Under Section 1502.1 Of The Act2765.334 Effect Of Ineligibility Under Section 614 On Charge-
ability Under Section 1502.1 Of The Act

2765.335 Procedural Requirements And Right Of Appeal

AUTHORITY: Implementing and authorized by Sections 212, 302, 500, 601, 602, 603, 612, 701, 1400, 1401, 1402, 1403, 1404, 1405, 1502.1, 1503, 1507, 1508, 1509, 1700, 1701 and 2600 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 322, 382, 420, 431, 432, 433, 442, 451, 550, 551, 552, 553, 554, 555, 572.1, 573, 577, 578, 579, 610, 611 and 750).

SOURCE: Adopted at 6 Ill. Reg. 3863, effective March 31, 1982; amended at 7 Ill. Reg. 13266, effective September 28, 1983; recodified at 8 Ill. Reg. 15027; amended at 11 Ill. Reg. 3972, effective February 23, 1987; amended at 11 Ill. Reg. 11743, effective June 26, 1987; amended at 11 Ill. Reg. 12882, effective July 22, 1987; emergency amendments at 12 Ill. Reg. 225, effective January 1, 1988, for a maximum of 150 days, expired May 30, 1988; amended

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF PROPOSED AMENDMENT(S)

at 12 Ill. Reg. 11740, effective July 5, 1988; amended at 12 Ill. Reg. 17342, effective October 12, 1988; amended at 12 Ill. Reg. 20484, effective November 28, 1988; emergency amendments at 13 Ill. Reg. 11911, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17410, effective October 30, 1989; amended at 14 Ill. Reg. 6218, effective April 16, 1990; amended at 14 Ill. Reg. 19886, effective November 29, 1990; amended at 15 Ill. Reg. 185, effective December 28, 1990; amended at 15 Ill. Reg. 11122, effective July 19, 1991; amended at 16 Ill. Reg. 2131, effective January 27, 1992, 1992;
amended at 16 Ill. Reg. _____, effective _____, 1992.

SUBPART A: GENERAL PROVISIONS

Section 2765.5 Definitions

For the purposes of this Part, the following terms shall have the meaning as defined hereunder:

"Act" means the Unemployment Insurance Act, as amended, (Ill. Rev. Stat. 198591, ch. 48, pars. 300 et seq.);

"Client" means an individual or entity which has contracted with an employee leasing company to supply it with one or more workers to perform services on an on-going rather than a temporary basis;

"Contributing employer" also known as a regular employer, pays contributions at a specified percentage of the taxable wages paid to individuals performing services in covered employment;

"Employee leasing company" means an individual or entity which contracts with a client to supply one or more workers to perform services for the client on an on-going rather than a temporary basis;

"FUTA" means the Federal Unemployment Tax Act, 26 U.S.C. 3301 through 3311;

"Reimbursable employer" is a nonprofit organization as defined in Section 211.2 of the Act or any local governmental entity as determined in Section 211.1 of the Act which elects to make payments in lieu of contributions;

NOTICE OF PROPOSED AMENDMENT(S)

"Unemployment taxes" are the contributions paid by contributing employers and the payment in lieu of contributions paid by reimbursable employers.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 2765.50 Accrual of Interest

a) The contributions or payments in lieu of contributions (reimbursements) shall bear interest from the day following the due date of such contributions or reimbursements, up to and including the day payment is made, as shown by the date of the postmark thereon, if mailed; except that, after December 31, 1987, payments received more than 30 days after the due date shall be deemed to have been received on the last day of the month preceding the month in which such payment is received. For example, a payment which was due on April 30, 1988, but received on July 14, 1988, shall be deemed, for the purpose of calculating interest, to have been received on June 30, 1988. Interest accrues at the rate of 1/8 per month and 1/30 of 1/8 per day or fraction thereof through December 31, 1981. After 1981, such interest will accrue at the rate of 2/8 per month, calculated at 12/365 of 2/8 for each day.

b) The Director may waive interest for good cause as provided in Sections 2765.65 and 2765.66 of this Part.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 2765.64 Consequences Where An Employee Leasing Company Has Erroneously Reported Wages And Paid Contributions Which Wages Should Have Been Reported And Contributions Paid By Its Client

Where wages should have been reported and contributions paid by a client, but the wages were erroneously reported and the contributions paid by an employee leasing company, the Director shall, upon the joint request of the client and the employee leasing company, on a form available from the Director, transfer such contributions from the account of the employee leasing company to the account of the client, effective as of the dates that the report was submitted and the contributions paid by the employee leasing company, respectively. As a result, interest shall be due only to the extent that the amount due from the client exceeds the amount paid by the employee leasing company.

NOTICE OF PROPOSED AMENDMENT(S)

Example: Employee Leasing Company X erroneously reports the wages of certain workers on its Wage Report and pays the contributions due on these wages. It is determined that such wages should have been reported instead by its client, Company Y. The Director shall, upon the joint request of Employee Leasing Company X and Company Y, transfer the payment made by Employee Leasing Company X to the credit of Company Y. The wages reported by the leasing company for Company Y's workers will also be credited to Company Y. As a result, Company Y will only owe any additional contributions due, if any, to the extent that the amount due from it exceeds the amount paid by the employee leasing firm. To the extent that the payment by the employee leasing company was untimely or not sufficient to cover the amount due, interest shall accrue. If the amount paid by the employee leasing company exceeds the amount due from Company Y, Company Y may file a request for an adjustment or a refund of the overpayment to the extent and within the time allowed by Section 2201 of the Act.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 2765.66 Waiver of Interest Accruing Because of Certain Types of Employees for Periods Prior to January 1, 1988

a) The Director shall find good cause for the waiver of all interest, accrued upon unpaid contributions which are due and owing for any period prior to January 1, 1988, if the contributions were based on the payment of wages in employment to an individual where:

- 1) The employer or its predecessor has not treated any individual holding a substantially similar position as an employee for purposes of the Act, or for Federal Unemployment Tax Act (FUTA), Internal Revenue Code or Social Security Act purposes; and;
- 2) The employer's treatment of such individual was in reasonable reliance upon:
 - A) A judicial precedent or an Internal Revenue Service letter ruling for the employer; or,
 - B) A past agency audit of such employer where

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there was no assessment attributable to the treatment of individuals holding positions substantially similar to the position held by such individual; or,

- C) A long-standing industry practice recognized by a significant segment of the industry in which such individual or employer is engaged.
- 3) Example: Pursuant to this subsection, an employer requests a waiver of interest on contributions which were due and owing for the first quarter of 1987. Contributions for the first quarter of 1987 became due and owing on April 30, 1987 but had not been paid because the employer appealed a determination and assessment covering this period. The waiver, if granted, would cover all interest which accrued from May 1, 1987 through the date that payment of the contributions was made. The employer must pay all contributions due for the first quarter of 1987 as a condition precedent to the granting of waiver.
- b) The provisions of Section 2765.704 shall not be applicable to requests for waiver under this Section.
- c) The payment of all contributions assessed, within 30 days from the effective date of this Section or within 30 days from the date that such assessment becomes final, if such date is later, is a condition precedent to an application for waiver (see Section 2765.75) pursuant to this Section.
- 1) Example: During the course of a hearing pursuant to 56 Ill. Adm. Code 2725.200 et seq., the employing unit requests, on the record, that, if the subject assessment is affirmed, in full or in part, it be granted waiver pursuant to this Section. If it is recommended that the assessment be affirmed, in full or in part, the Director's Representative shall also recommend a decision with respect to the request for waiver. If such recommendation is to deny, objections may be filed in the same manner and within the same time limits as set forth in 56 Ill. Adm. Code 2725.275. If the request for waiver is granted, but the contributions assessed are not paid within 30 days

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from the date that the assessment becomes final, then the request for waiver shall be deemed to have been denied as of the date of the decision which had granted the waiver.

- 2) Example: An employer meets the requirements for waiver pursuant to subsection (a) with respect to wages for services which were the subject of a determination and assessment which became final on February 13, 1988. If this employer has not yet paid this assessment, it has 30 days from the effective date of this rule to pay the contributions due and file its application for waiver.
- 3) Example: An employer meets the requirements for waiver pursuant to subsection (a) with respect to wages for services which are the subject of a determination and assessments which becomes final after the effective date of this rule. This employer has 30 days from the date that this assessment becomes final to pay the contributions due and file its application for waiver.
- d) Notwithstanding any other provisions of this Part, no employer shall be entitled to a refund or credit of any interest paid prior to the adoption of this Section.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 2765.70 Time-For-Paying-Or-Filing-Delayed-Payment-Or-Report-Waiver Of Interest For Certain Nonprofit Organizations or Local Governmental Entities

~~In order to obtain a waiver of all or part of any interest or penalty, the employer must (in addition to filing an application for waiver as provided in Section 2765.75) either make, except if the ground for waiver is Section 2765.65(e), the late payment of all contributions due or file the delayed report, as the case may be, within 30 days from the date of the resolution of the occurrence or event relied upon as a ground for waiver:~~
a) The Director shall waive interest on any unpaid contributions for a nonprofit organization, as defined in Section 211.2 of the Act, or a local governmental entity, as determined under Section 211.1 of the Act, if:

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1) The organization or entity had never filed any of the reports or forms required of it under the Act;

2) No unemployment insurance claims had been filed for which it is determined that the organization or entity was the chargeable employer as that term is used in Section 1502.1 of the Act; and

3) The chief operating officer of the organization or entity files an affidavit with the Director in which he states that, upon learning of the organization or entity's liability under the Act, he took immediate action to bring the organization or entity into compliance.

Example: Nonprofit organization A was created in 1985. Because it is not liable under the Federal Unemployment Tax Act (FUTA), it

believed that it was not liable for state unemployment insurance contributions. As a result of a random audit in 1992, it is determined the organization was liable since 1985 and owes unpaid contributions since 1989. If the organization had never filed any reports or forms required of it under the Act, it had never been found to be a chargeable employer and if the chief operating officer tenders the appropriate affidavit, any interest on the unpaid contributions will be waived.

b)

Any waiver of interest under this Section shall cover the period up to sixty days after the date that the organization or entity became aware of its liability under the Act. To stop further interest from accruing after that time, the organization or entity must pay the contributions due in full. However, nothing in this Section shall be interpreted as prohibiting an employer from seeking waiver of any additional interest under the other provisions of this Part.

(Source: Amended at 16 Ill. Reg. _____, effective _____) Section 2765.74 Time For Paying Or Filing Delayed Payment Or Report

In order to obtain a waiver of all or part of any interest or penalty, the employer must (in addition to filing an application for waiver as provided in Section 2765.75) either make, except if

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the ground for waiver is Section 2765.65(c), the late payment of all contributions due or file the delayed report, as the case may be, within 30 days from the date of the resolution of the occurrence or event relied upon as a ground for waiver.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 2765.75 Application For Waiver

The employer must file a sworn written application for waiver of the interest or penalty, or both with the Revenue Division, 401 South State Street - 4th Floor, Chicago, Illinois 60605, within the time limits set forth in Section 2765.7074. An application is not complete unless it contains the name and address of the employer, the U.I. account number, the period involved and the good cause applicable. The late payment or missing report, as provided in Section 2765.7074, must accompany the application.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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1) Heading of Part: Joint Rules of the Illinois Environmental Protection Agency and the Illinois Department of Public Health and the Illinois Department of Nuclear Safety: Certification and Operation of Environmental Laboratories

2) Code Citation: 35 Ill. Adm. Code 183

3) Section Numbers: Proposed Action:

183.105	Amend
183.110	Amend
183.115	Amend
183.120	Amend
183.125	Amend
183.130	Amend
183.131	New Section
183.132	New Section
183.133	New Section
183.134	New Section
183.135	Amend
183.140	Amend
183.145	Amend
183.150	Amend
183.160	Amend
183.170	Repealed
183.210	Amend
183.215	Amend
183.220	Amend
183.225	Amend
183.230	Amend
183.231	New Section
183.235	Amend
183.240	Amend
183.245	Amend
183.250	Amend
183.255	Amend
183.310	Amend
183.315	Amend
183.320	Amend
183.325	Amend
183.330	Amend
183.335	Amend
183.340	Amend
183.345	Amend
183.350	Amend
183.355	Amend
183.360	Amend
183.365	Amend

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183.370	Amend
183.406	New Section
183.410	Amend
183.415	Amend
183.420	Amend
183.425	Amend
183.430	Amend
183.435	Amend
183.440	Amend
183.445	Amend
183.450	Amend
183.Appendix A	Amend
183.Appendix B	New Section

4) Statutory Authority: Implementing Section 1401(d) of the Safe Drinking Water Act (42 U.S.C. 300f et seq.), Subpart C of the National Interim Primary Drinking Water Regulations (40 CFR 141.21 through 141.30 (1989)), the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 100i et seq.) and the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, pars. 1 et seq.) and authorized by Section 4(o) and 4(p) of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1004(o) and 1004(p) and Section 55.10 through 55.12 and 63b17 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 55.10 through 55.12 and 63b17).

5) A Complete Description of the Subjects and Issues Involved: As proposed these amendments introduce laboratory certification and operation procedures for the Illinois Department of Nuclear Safety for radiological parameters and amend and update procedures for the Illinois Environmental Protection Agency with respect to the analysis of organic and inorganic chemical parameters and the Illinois Department of Public Health for microbiological parameters. These amendments also have changed the education and professional experience requirements of laboratory professionals for these departments and agency.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? ___ Yes X No

If "yes", please specify the date: _____

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? Yes

9) Are there any other proposed amendments pending on this Part? No
Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives: Pursuant to the authority contained in Ill. Rev. Stat. 1989, ch. 127, pars. 55.10 through 55.15

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 183
JOINT RULES OF THE ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY AND THE ILLINOIS DEPARTMENT OF PUBLIC
HEALTH AND THE ILLINOIS DEPARTMENT OF NUCLEAR SAFETY:
CERTIFICATION AND OPERATION OF
ENVIRONMENTAL LABORATORIES

SUBPART A: GENERAL PROVISIONS

- Section
- 183.105 Authority
- 183.110 Scope and Applicability
- 183.115 Definitions
- 183.120 Division of Authority
- 183.125 Certification Procedure
- 183.130 Conditions Governing the Use of Certificates
- 183.131 Provisional Certification
- 183.132 Preliminary Certification
- 183.133 Changes in Ownership or Operations
- 183.134 Revocation of Certification
- 183.135 Subcontracting by Certified Laboratories
- 183.140 Performance Evaluation Samples/Quality Assurance Samples
- 183.145 Authority of Certification Officers
- 183.150 Hearing, Decision and Appeal
- 183.155 Liability
- 183.160 Reciprocity Agreements
- 183.165 Reporting (Repealed)
- 183.170 Public Inspection of Records (Repealed)

SUBPART B: CHEMICAL ANALYSES OF PUBLIC
WATER SUPPLY SAMPLES

- Section
- 183.205 Scope and Applicability
- 183.210 Personnel Requirements
- 183.215 Physical Laboratory Facilities
- 183.220 Laboratory Equipment
- 183.225 General Laboratory Practices
- 183.230 Methodology and Required Equipment
- 183.231 Alternate Analytical Techniques
- 183.235 Sample Collecting Collection, Handling and Preservation
- 183.240 Quality Control
- 183.245 Record Maintenance

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- Section
- 183.250 Free Chlorine Residual and Turbidity
- 183.255 Action Response to Laboratory Results
- 183.260 Chain-of-Custody Procedures

SUBPART C: MICROBIOLOGICAL ANALYSES OF PUBLIC
WATER SUPPLY SAMPLES

- Section
- 183.305 Scope and Applicability
- 183.310 Personnel Requirements
- 183.315 Physical Laboratory Facilities
- 183.320 Laboratory Equipment
- 183.325 Laboratory Glassware, Plastic Ware and Metal Utensils
- 183.330 General Laboratory Practices
- 183.335 Methodology
- 183.340 Sample Collecting Collection, Handling and Preservation
- 183.345 Standards for Laboratory Pure Water
- 183.350 General Quality Control Procedures
- 183.355 Quality Controls for Media, Equipment and Supplies
- 183.360 Data Handling
- 183.365 Record Maintenance
- 183.370 Action Response to Laboratory Results

SUBPART D: RADIOCHEMICAL ANALYSES OF PUBLIC
WATER SUPPLY SAMPLES

- Section
- 183.405 Scope and Applicability
- 183.406 Length of Certification for Radiochemical Laboratories
- 183.410 Personnel Requirements
- 183.415 Laboratory Physical Facilities
- 183.420 Laboratory Equipment and Instrumentation
- 183.425 General Laboratory Practices
- 183.430 Analytical Methodology and Required Equipment
- 183.435 Sample Collecting Collection, Handling and Preservation
- 183.440 Quality Control Assurance
- 183.445 Record Maintenance
- 183.450 Action Response to Laboratory Results

- Section
- 183. APPENDIX Appendix A Methodology and Required Equipment for Inorganic
Chemical Analyses of Public Water Supply Samples
- 183. Appendix B Methodology and Required Equipment for Organic Chemical
Analyses of Public Water Supply Samples

AUTHORITY: Implementing Section 1401(d) of the Safe Drinking Water Act (42 U.S.C. 300f et seq.), Subpart C of the National Interim Primary Drinking Water

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Regulations (40 CFR 141.21 through 141.30 (1988 1990)), the Environmental Protection Act (111. Rev. Stat. 1987 1989, ch. 111 1/2, pars. 1001 et seq.) and the Civil Administrative Code of Illinois (111. Rev. Stat. 1987 1989, ch. 127, pars. 1 et seq.) and authorized by Sections 4(c) and 4(p) of the Environmental Protection Act (111. Rev. Stat. 1987 1989, ch. 111 1/2, pars. 1004(c) and 1004(p) and Sections 55.10 through 55.12 and 63b17 of the Civil Administrative Code of Illinois (111. Rev. Stat. 1987 1991, ch. 127, pars. 55.10 through 55.12, and 63b17).

SOURCE: Adopted at 3 111. Reg. 34, p. 103, effective August 19, 1979; codified at 6 111. Reg. 14657; amended at 7 111. Reg. 13523, effective September 28, 1983; amended at 14 111. Reg. 8592, effective May 16, 1990; amended at 111. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 183.105 Authority

Pursuant to the authority contained in 111. Rev. Stat. 1987 1989, ch. 127, to pars. 55.10-12 which authorizes the Illinois Department of Public Health, establish and enforce minimum standards, and establish certification procedures for laboratories making examinations in connection with the diagnosis of disease or tests for the evaluation of health hazards, and also to enter into contracts with other public agencies for the exchange of health services which may benefit the health of the people; and pursuant to the authority contained in Section 4 (o and p) of the Environmental Protection Act-adopted 1979-as-amended (111. Rev. Stat. 1987 1989, ch. 111/, par. 1004 (o and p)), which authorizes the Illinois Environmental Protection Agency to "establish and enforce minimum standards for the operation of laboratories relating to analyses and laboratory tests for air pollution, water pollution, noise emissions, contaminant discharges onto land and sanitary, chemical, and mineral quality of water distributed by a public water supply", and to "issue certificates of competency to persons and laboratories meeting the minimum standards established by the Agency . . . and to promulgate and enforce regulations relevant to the issuance and use of such certificates", and to "enter into formal working agreements with other departments or agencies of state government under which all or portions of this authority may be delegated to the cooperating department or agency", the Illinois Environmental Protection Agency, the Illinois Department of Public Health, and the Illinois Department of Nuclear Safety and the Environmental Protection Agency, jointly adopt the following rules and regulations.

(Source: Amended at 111. Reg. _____, effective _____.)

Section 183.110 Scope and Applicability

a) This Subpart A establishes general provisions applicable to the certification program for environmental laboratories administered under this Part 183.

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b) Nothing in this Part 183 shall prevent uncertified laboratories from performing any quality control or other tests when the state has not required such tests to be performed by a certified laboratory.

c)

Unless the contrary is clearly indicated, all references to "Sections" in this Part 183 are to 111. Adm. Code, Title 35: Environmental Protection. For example, "Section 183.230" is 35 111. Adm. Code 183.230.

(Source: Amended at 111. Reg. _____, effective _____.)

Section 183.115 Definitions

For purposes of this Part 183 unless otherwise specifically defined or the context clearly requires a different meaning:

"Act" means Sections 4(o) and 4(p) of the Environmental Protection Act (111. Rev. Stat. 1989, ch. 111 1/2, pars. 1004(o) and 1004(p)).

"Agency" means the Illinois Environmental Protection Agency, either the Illinois Department of Public Health, or the Illinois Department of Nuclear Safety and the Environmental Protection Agency, whichever is applicable based on the division of authority specified in Section 183.120.

"Analyst" means any person who performs analyses for certain or all parameters on samples submitted to the environmental laboratory and who meets the qualifications set forth in the applicable subpart of this Part 183.

"Certification" means a status of approval granted to an environmental laboratory which meets the criteria established by this Part 183 or in accordance with a reciprocity agreement entered into pursuant to Section 183.160. Certification is not a guarantee of the validity of the data generated.

"Certification Officer" means any person who is designated by the Agency to inspect and evaluate environmental laboratories for compliance in meeting the criteria set forth in this Part 183.

Certification officers shall meet the educational and experience qualifications for laboratory directors as set forth in the applicable subpart of this Part 183- subparts B and D or laboratory supervisors as set forth in subpart C.

"Consultant" means a person who is retained by a written agreement to provide professional consultation services.

"Cross Check Sample" means an unknown sample distributed by the U.S. Environmental Protection Agency's Environmental Monitoring Systems

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Laboratory (Las Vegas) to determine the accuracy of the radiochemical analysis for which the laboratory is, or wants to be, certified.

"Deficiency" means a failure of an environmental laboratory to meet any applicable requirement of this Part.

"Environmental Laboratory" means any facility which that performs analyses on environmental samples in order to determine the quality of food, milk, public water-supplies, surface water, ground water, recreational waters, wastewater, air, or land.

"Laboratory Director" means the person who is responsible for the operation of an environmental laboratory and who meets the qualifications set forth in the applicable subpart of this Part 183.

"Laboratory Pure Water" means water meeting the standards set forth in Section 183.345.

"Laboratory Supervisor" means a person who supervises the performance of the analytical procedures within an environmental laboratory and who meets the qualifications set forth in the applicable subpart of this Part 183.

"Major remodeling" means any remodeling of the laboratory facility which requires the acquisition of a local building permit.

~~"Maximum-Allowable-Concentration" means a maximum permissible concentration of a contaminant in finished water as established by 35 Ill. Adm. Code 604.101--604.303 (prior to codification Rule 304 of the Illinois Pollution Control Board Rules and Regulations, Chapter 6--Public-Water-Supply).~~

"Parameter" means a chemical element, chemical compound, radioisotope or microbiological organism.

"Performance Evaluation Sample" (PES) means a sample used to determine accuracy, prepared either by the certifying agency or an authority recognized by the certifying agency, in which the true value and acceptance limits are unknown to the laboratory at the time of analysis.

"Provisional Certification" means a certification status granted to an environmental laboratory in order to allow time for the correction of ~~deviations~~ a deficiency. Failure to correct ~~deviations~~ a deficiency during the provisional certification period allows the Agency to revoke certification as specified in Section ~~183.304(a)(1)~~ 183.134. While on provisional certification, an environmental laboratory remains approved for the analyses covered by its certification.

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"Public Water Supply" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve at least 25 persons at least 60 days per year.

"Quality Assurance Sample" means either a performance evaluation sample, a cross check sample, or both as provided in the applicable Section of this Part.

"Senior Analyst" means a person who performs analyses on samples submitted to the environmental laboratory and who meets the qualifications set forth in the applicable Section of this Part.

(Source: Amended at ___ Ill. Reg. ____, effective _____)

Section 183.120 Division of Authority

- a) ~~The Illinois Environmental Protection Agency shall administer these rules and regulations this Part~~ with respect to the analysis of organic and inorganic chemical parameters.
- b) ~~The Illinois Department of Public Health shall administer these rules and regulations this Part~~ with respect to the analysis of microbiological and ~~radiochemical~~ parameters.
- c) The Illinois Department of Nuclear Safety shall administer this Part with respect to the analysis of radiological parameters.

(Source: Amended at ___ Ill. Reg. ____, effective _____)

Section 183.125 Certification Procedure

- a) An environmental laboratory which that meets or exceeds the minimum criteria for certification may receive certification from the Agency for any ~~inorganic or organic, microbiological, or radiological, and organic or inorganic chemical parameters~~ parameter for which a ~~methodology~~ methodology has been specified in this Part 183 or for which an alternative methodology has been approved in accordance with the provisions of this Part.
- b) The operational aspects of an environmental laboratory that will be evaluated in considering a request for certification are:
 - 1) physical laboratory facilities,

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- 2) personnel,
- 3) methodology and instrumentation,
- 4) data handling, and
- 5) quality control assurance program.

c) In seeking certification, the petitioning environmental laboratory must shall:

- 1) Submit a formal request for certification from to the Agency;
- 2) File with the Agency on the applicable administrative questionnaires furnished by the Agency, if available, or otherwise in a form approved by the Agency, giving providing complete information on the five categories listed in Section 183.130(b) subsection (b) above;
- 3) Analyze all performance evaluation samples to be provided by the Agency and report the results of the analyses to the Agency/quality assurance samples required in accordance with the applicable Sections of this Part and report the results of such analyses to the Agency; and
- 4) Permit and cooperate in an on-site visit by Agency authorized certification officers. Certification officers shall provide the environmental laboratory with official identification and credentials. The initial visit will be arranged at the mutual convenience of both parties. The Agency reserves the right to make subsequent visits without prior notice during regular working hours.

d) An environmental laboratory seeking certification from the Illinois Environmental Protection Agency and the Illinois Department of Public Health only needs to more than one Agency shall file a single request for certification and a single set of administrative questionnaires with either agency each such Agency.

e) Approval or denial of certification will be made only after the procedure described in Section 183.130(c) subsection (c) has been completed. Denial of certification shall be in the form of a narrative, giving complete information as to how deviations which all items in deviation deficiencies are clearly marked identified.

f) Environmental laboratories in jurisdictions not having reciprocal agreements with an Agency under Section 183.160 may receive

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certification from the Agency under this Part and shall pay all of the expenses to be incurred by the Agency, including travel expenses, prior to evaluation.

(Source: Amended at 111. Reg. _____, effective _____)

Section 183.130 Conditions Governing the Use of Certificates

a) Certification of environmental laboratories under subpart C shall be effective for a two-year period and certification of environmental laboratories under subparts B and D shall be effective for a three-year period from the date of issue, unless modified or revoked by the Agency. Application for timely renewal of certification shall be made to the Agency no later than 90 days prior to the applicable expiration date. Approval of a renewal application shall be contingent upon the environmental laboratory meeting all of the factors considered in granting the original approval certification, including acceptable results on performance evaluation samples/quality assurance samples required under this Part. When an a certified environmental laboratory has made timely and sufficient application for renewal of certification or certification for additional parameters, the existing certification shall, unless otherwise modified or revoked in accordance with this Part, continue in full force and effect until the final decision of the Agency on the application has been made unless a later date is fixed by order of a reviewing court.

b) Whenever deviations from the applicable requirements are found, a certified environmental laboratory may be placed on provisional certification. Provisional certification may be granted for the following periods:

- 1) From seven to 30 days if the deviation could compromise the quality of analytical data generated by the environmental laboratory;
- 2) From 90 days to one year in the case of any other type of deviation. Certification shall be limited to those parameters for which an environmental laboratory has been approved and which are listed on the certificate of approval.

c) The Illinois Environmental Protection Agency may grant preliminary certification to an environmental laboratory which has demonstrated satisfactory capability after completion of the procedures specified in Section 183.130(c) and (d) and preliminary certification would be available in instances where it would be impractical for the Illinois Environmental Protection Agency to schedule an on-site visit with a laboratory from the date of a laboratory submission of satisfactory analysis results for performance evaluation samples. Preliminary

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~~certification shall remain in effect until certification has been approved or denied in accordance with Section 183.125. The certificate of approval shall be posted or displayed in a prominent place in the laboratory facility.~~

d) ~~Certification shall not be transferable. In the event of change of ownership, director, supervisor, analysts, or relocation or major remodeling of the physical plant of an environmental laboratory, the Agency shall be notified in writing within 15 days. Information related to the certification of an environmental laboratory shall be accurately represented if used in any advertising and shall prominently include the statement that, "Certification by the State of Illinois is not an endorsement or a guarantee of the validity of the data generated." Such information shall also specify the parameters for which the environmental laboratory has been certified. The advertising shall not include any representation that the environmental laboratory is certified to perform a type of analysis for which it lacks proper certification.~~

e) ~~After receiving notification of any of the changes listed in Section 183.130(d), unless otherwise stated for a specific parameter, the Agency will request a resume (as to any new owners, directors, supervisors, or analysts), send a quality control sample for analysis by any new analyst, and make an on-site visit. However, the Agency may waive any of these actions if it appears unwarranted in a specific case. Examples of when such waivers would be appropriate include the following circumstances:~~

1) ~~Waiver of submittal of a summary of education and experience when personnel transferring from one certified laboratory to another are responsible for dealing with the same analytical methods and equivalent equipment; and~~

2) ~~Waiver of an on-site visit if the pertinent test procedures involve simple techniques and equipment. An environmental laboratory may surrender its certification voluntarily by notifying the Agency in writing and returning the certificate.~~

f) ~~An environmental laboratory may cancel its certification voluntarily by notifying the Agency and returning the certificate.~~

g) ~~The Agency may revoke certification of cause as to all or any part of an environmental laboratory's certification. Any of the following shall be cause for partial or total revocation of certification:~~

1) ~~Failure to pass any inspection, provided the laboratory has not corrected the deviations after being placed on provisional certification in accordance with the provisions of Section 183.130(b).~~

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2) ~~Unsatisfactory analyses of performance evaluation samples as specified in Section 183.140;~~

3) ~~Failure to notify the Agency within 15 days after any of the changes listed in Section 183.130(d) have occurred; or~~

4) ~~Violation of the requirements regarding advertising as specified in Section 183.130(k).~~

h) ~~Certification shall be limited to those analytical procedures for which an environmental laboratory has been approved and which are listed on the certificate of approval.~~

i) ~~The certificate of approval shall be posted or displayed in a prominent place in the laboratory facility.~~

j) ~~Information related to the certification of an environmental laboratory shall be clearly defined in any advertising and shall prominently include the statement that, "Certification is not a guarantee of the validity of the data generated." Such information shall also include the analyses for which the environmental laboratory has been certified. The advertising shall not include any representation that the environmental laboratory is certified to perform a type of analysis for which it lacks proper certification.~~

k) ~~The following factors shall be taken into account by the Agency in determining what action should be taken against a certified environmental laboratory when deviations from these rules and regulations are found:~~

1) ~~The length of time during which the deviation has existed;~~

2) ~~The laboratory's prior record of deviations and response in correcting deviations noted by the Agency;~~

3) ~~Whether the laboratory knowingly caused or allowed the deviations; and~~

4) ~~The potential effect of the deviation on the quality of analytical data generated by the laboratory.~~

(Source: Amended at ___ Ill. Reg. ____, effective _____)

Section 183.131 Provisional Certification

a) Whenever a deficiency is found, a certified environmental laboratory may be placed on provisional certification. Provisional certification may be imposed for the following periods:

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- 1) From seven to 30 days if the deficiency could compromise the quality of analytical data generated by the environmental laboratory; or
- 2) From 90 days to one year in the case of any other type of deficiency.

b) A provisionally certified laboratory may continue to analyze samples for compliance purposes, but shall notify its clients of its provisionally certified status by providing that information in writing, as soon as practicable, but in no event later than 3 working days after the imposition of provisionally certified status and shall also include such information on any report of any analysis performed during the period of provisional certification.

(Source: Added at 111. Reg. _____, effective _____)

Section 183.132 Preliminary Certification

The Agency may grant written preliminary certification to an environmental laboratory that has demonstrated compliance with the applicable provisions of this Part after completion of the procedures specified in Section 183.125(c) (1-3). Preliminary certification would be available in instances where it would be impractical for the Agency to schedule an on-site visit within six months from the date of a laboratory's submission of satisfactory analysis results for performance evaluation samples/quality assurance samples. Unless modified or revoked in accordance with this Part, preliminary certification shall remain in effect until certification has been approved or denied in accordance with Section 183.125.

(Source: Added at 111. Reg. _____, effective _____)

Section 183.133 Changes in Ownership or Operations

a) Certification shall not be transferable. In the event of a change of ownership, director, supervisor, analysts, or relocation or major remodeling of the physical plant of an environmental laboratory, the Agency shall be notified in writing within 15 days and shall be provided with the resume of any new owners, directors, supervisors, analysts and a description of any relocation or remodeling of the physical plant.

b) After receiving notification of any of the changes listed in subsection (a), unless otherwise specified in this Part for a specific parameter, the Agency may as applicable, review the resume of any new owner, director, supervisor, or analyst, require the analysis of performance evaluation samples/quality assurance samples by any new analyst, or make an on-site visit. However, the Agency

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may waive any of these actions if it finds such actions to be unwarranted in a specific case. Examples of when such waivers would be appropriate include the following circumstances:

- 1) Waiver of submittal of a summary of education and experience when personnel transferring from one certified laboratory to another are responsible for dealing with the same analytical methods and equivalent equipment; and
- 2) Waiver of an on-site visit if the pertinent test procedures involve simple techniques and equipment.

(Source: Added at 111. Reg. _____, effective _____)

Section 183.134 Revocation of Certification

a) The Agency may revoke all or any part of an environmental laboratory's certification. Any of the following shall be cause for partial or total revocation of certification:

- 1) Expiration of a period of provisional certification, provided the laboratory has not corrected the deficiencies after being placed on provisional certification in accordance with the provisions of Section 183.131;
- 2) Unsatisfactory analyses of performance evaluation samples/quality assurance samples as specified in Section 183.140;
- 3) Failure to notify the Agency within 15 days after any of the changes listed in Section 183.133 have occurred;
- 4) Failure to comply with the requirements regarding advertising as specified in Section 183.130(d);
- 5) Failure to use the analytical methodology specified in this Part or approved in accordance with this Part;
- 6) Failure to provide notice in accordance with Section 183.131(b) of its status as a provisionally certified environmental laboratory; or
- 7) Falsification of results of testing of performance evaluation samples/quality assurance samples or any other information material to the certification.

b) The following factors shall be taken into account by the Agency in determining what action should be taken against a certified

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environmental laboratory for failing to comply with the requirements of this Section.

- 1) The length of time during which the failure has existed;
- 2) The laboratory's prior record of failures and response in correcting failures noted by the Agency;
- 3) Whether the laboratory knowingly caused or allowed the failure; and
- 4) The potential effect of the failure on the quality of analytical data generated by the laboratory.

(Source: Added at ___ Ill. Reg. _____, effective _____)

Section 183.135 Subcontracting by Certified Laboratories

- a) The name of the laboratory actually performing the analyses analysis shall be specified on all reports of analytical results.
- b) For those tests that are required to be performed under certification, any laboratory with which a certified environmental laboratory subcontracts shall also be a certified environmental laboratory.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.140 Performance Evaluation Samples/Quality Assurance Samples

~~An environmental laboratory is required to participate in performance evaluation sample analysis relevant to the analytical parameters method for which it seeks or wishes to maintain certification in accordance with the certification procedures of Section 183.125(c), the certification renewal procedures of Section 183.130(a), and the quality control requirements contained in the applicable subpart of this Part 183. Within 30 days of receipt, the environmental laboratory shall analyze such samples and report the test results to the Agency. There shall be no fee charged to the Agency for such analyses. Failure to provide results proving satisfactory precision and accuracy in two successive samples shall be cause for revocation of certification for the parameters not within satisfactory limits. Acceptance limits for trihalomethanes shall be plus or minus 20 percent of the mean value. Acceptance limits for all other performance evaluation samples shall be plus or minus two standard deviations from the mean value. An environmental laboratory is required to participate in performance evaluation sample/quality assurance sample analyses for each analytical parameter or method for which it seeks or wishes to maintain certification in accordance with the certification procedures of Section 183.125(c), the certification renewal procedures of Section 183.130(a), and the quality assurance~~

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requirements contained in the applicable subpart of this Part. Unless otherwise specified in the applicable subpart of this Part, within 60 days of receipt of a performance evaluation sample/quality assurance sample, the environmental laboratory shall analyze such sample and report the test results to the Agency. There shall be no fee charged to the Agency for such analyses. Failure to provide results proving satisfactory precision and accuracy in two successive samples shall be cause for revocation of certification for the parameter or method not within satisfactory limits.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.145 Authority of Certification Officers

Certification officers shall have all of the following authority with regard to environmental laboratories:

- a) To inspect such laboratories in on-site visits;
- b) To require the laboratory to provide information ~~relevant to~~ regarding the technical operation of such ~~laboratories~~ laboratory relevant to certification;
- c) To inspect quality assurance records and any other pertinent records;
- d) ~~To be permitted to observe and question analysts at work on~~ parameters or methods for which certification is sought; and
- e) ~~To submit oral and written reports for granting or denying grant or deny~~ certification based upon the completion of the evaluation process.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.150 Hearing, Decision and Appeal

The following procedures are established for Agency certification actions which are required by law to be preceded by notice and opportunity for hearing:

- a) Prior to revocation or partial revocation, the Agency shall give written notice to the laboratory director or owner. This notice shall include a description of the proposed action, the facts or conduct upon which the Agency will rely to support its proposed action, and the procedures for requesting a hearing.
- b) Notice given under ~~Section 183.150(a)~~ subsection (a) and any hearing requested following issuance of such notice shall be in accordance with the "Rules of Practice and Procedure in Administrative Hearings" as adopted by the Illinois Department of Public Health. A single joint hearing may be conducted when a hearing is requested concerning

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- c) ~~An analyst is a person who holds a high school diploma or its equivalent and has completed a basic chemistry course. In addition an analyst shall have had at least one year of experience in an analytical laboratory and shall demonstrate ability to properly perform representative test procedures with which he or she is involved while under observation by the certification officers.~~ Instrument operators who operate Atomic Absorption (AA), Ion Chromatograph (IC), Gas Chromatograph (GC), Gas Chromatograph/Mass Spectrometer (GC/MS), and/or Inductively Coupled Plasma (ICP) shall have the following required minimum standards:
- 1) Hold a bachelor's degree in chemistry or related field. This degree requirement may be waived if the immediate supervisor has a bachelor's degree in chemistry or related field or if the analyst has the number of credit hours in chemistry courses required for a major in chemistry.
 - 2) Have a minimum of six months experience on the instrument being operated, except for a GC/MS where a minimum of 12 months experience is required. (See subsection (e)).
 - 3) Operators of either a GC/MS or ICP also shall have satisfactorily completed a short course in GC/MS or ICP offered by the equipment manufacturer, professional organization, university, or other qualified training facility.
 - 4) After appropriate training, the operator must demonstrate acceptable results in the analysis of an applicable quality control or performance evaluation sample.
- d) An analyst is a person who holds a high school diploma or its equivalent and has demonstrated the ability to properly obtain acceptable results in the analysis of an applicable quality control or performance evaluation sample.
- e) Data produced by analysts and instrumental operators while in the process of obtaining the required training or experience are acceptable when reviewed and validated by a fully qualified analyst or the laboratory supervisor.
- d)f) A person who, as of July 1, 1979 the effective date of these amendments, is serving in an environmental laboratory in any capacity as defined in Section 183.210(a) ~~---(d)~~ subsections (a) - (e) and does not meet the educational requirements or experience requirements or both for said position may be recommended to continue to serve in said position by the certification officer. In recommending that an existing laboratory director, laboratory supervisor, or analyst continue to serve in that position, the certification officer shall take into account the following factors:

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- 1) Length of experience as an offset for not meeting educational requirements;
- 2) Extent of education as an offset for not meeting experience requirements; and
- 3) For analysts, demonstration of ability to properly perform representative test procedures with which he or she is involved while under observation by the certification officer.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.215 Physical Laboratory Facilities

The laboratory's physical facilities shall meet the following specifications:

- a) A minimum of 150-200 square feet of floor space shall be provided for each analyst.
- b) A minimum of 15 linear feet of usable bench space shall be provided for each analyst.
- c) The laboratory shall include a sink with hot and cold running water. All water supply outlets shall be protected by approved vacuum breakers.
- d) ~~An adequate electrical supply for operation of instruments and mechanical needs shall be provided. The certification officer may require verification from an official inspector or other qualified person that the laboratory meets local and national electrical codes.~~
- e) ~~All electrical outlets shall be properly grounded.~~
- f) ~~Instruments shall be properly grounded with an internal or external regulated power supply available to each instrument.~~
- g) ~~All plumbing shall meet local and state plumbing codes. The certification officer may require verification from an official inspector or other qualified person that the laboratory meets such codes.~~
- h)d) The laboratory shall include a vacuum source if the analyses performed so require.
- i)e) The laboratory shall have a readily available source of distilled water or deionized water or both.
- j)f) The laboratory shall include at least one fume hood for analyses of organic chemicals and trace metals.

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- j) A recorder for gas chromatography shall be a strip chart recorder with a recorder width of at least 25 cm, a full scale response time of 1 second or less, a 1 mV (-0.05 to 1.05) signal to match the instrument, and variable chart speeds with a range of at least 5 to 5 cm/min or equivalent. Computer-generated chromatograms are acceptable where a record of the data is required.
- k) A mass spectrometer for trihalomethanes by gas chromatography/mass spectrometry shall include an interfaced data system to acquire, store, reduce and output mass spectral data. The data system shall be equipped with software to acquire and manipulate data for only a few ions that were selected as characteristic of trihalomethanes and the internal standard (or surrogate compound). Mass spectral data shall be obtained with a electron impact ionization at a nominal electron energy of 70 eV. The mass spectrometer shall meet all of the following criteria when 50 ng or less of p-promofluorobenzene is introduced into the gas chromatograph:

p-BROMOFUORO BENZENE-KEY IONS AND ION ABUNDANCE CRITERIA

MASS	ION ABUNDANCE CRITERIA
50	15 to 40% of mass 95
75	30 to 60% of mass 95
95	base peak, 100% relative abundance
96	5 to 9% of mass 95
173	less than 2% of mass 174
174	greater than 50% of mass 95
175	5 to 9% of mass 174
176	96 to 100% of mass 174
177	5 to 9% of mass 176

- l) A conductivity meter and cell combination, suitable for checking distilled water quality, shall be readable in ohms or mhos, and have a range of up to 2.5 megohms-cm resistivity (conductivity down to 0.4 micromhos/cm) ± 1 percent. The conductivity meter may be either line/bench or battery/portable operated.
- m) A drying oven shall be a gravity or mechanical convection unit with a selectable temperature control from room temperature to 180°C or higher + 2°C (to 400°C for cleaning organic glassware).
- n) A desiccator shall be a glass or plastic model, depending upon the particular application.

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- o) A hot plate may be a large or small unit and shall have a selectable temperature control for safe heating of laboratory reagents.
- p) A refrigerator used for storage of organics and flammable materials shall be an "explosion proof" type. For storage of organics and flammable materials when refrigeration is not required, an explosion proof cabinet shall be provided. A refrigerator for the general storage of aqueous reagents and samples may be a standard kitchen type domestic refrigerator.
- q) Glassware which is used for purposes that may subject it to damage from heat or chemicals shall be of borosilicate glass. All volumetric glassware shall be Class A, denoting that it meets Federal Specifications and need not be calibrated before use federal specifications and is certified by the manufacturer as meeting the standards established by the American Society for Testing and Materials (ASTM).
- r) A stirred water bath shall provide from ambient temperature up to 100°C (with gable lid) be either electric or steam heated up to 100°C and temperature controllable within 5°C.
- s) A thermometer shall have 1°C or finer subdivision to 180°C and be certified by or traceable to the National Institute of Standards and Technology.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 183.225 General Laboratory Practices

- a) All prepackaged kit methods, other than the DPD and the (FACTS) Colorimetric Test Kit, are considered alternative analytical techniques and may be substituted only if approved in accordance with 40 CFR 141.27 (1982), revised as of July 1, 1990, exclusive of any subsequent amendments or editions. A copy of 40 CFR is available for public inspection at the Illinois Environmental Protection Agency.
- b) A laboratory utilizing visual comparison devices shall calibrate the standards incorporated into such devices at least every six months. These calibrations shall be documented. Preparation of temporary and permanent type visual standards shall be in accordance with the Color-Visual Comparison Method 408E, "Standard Methods for the Examination of Water and Wastewater," 14 16th Edition, American Public Health Association, (Washington, D.C., 1976 1985, exclusive of any subsequent amendments or editions. A copy of this publication is available for public inspection at the Illinois Environmental Protection Agency), pp 64-66 and the Turbidity-Visual Methods, "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, (Washington, D.C.,

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1976--pp--135-137. By comparing standards and plotting such a comparison on graph paper, a correction factor shall be derived and applied to all future results obtained on the now calibrated apparatus until it is recalibrated.

c) Prior to use, all glassware shall be washed in a warm detergent solution and thoroughly rinsed, first in tap water and then in distilled or deionized water. This cleaning procedure is sufficient for most analytical needs, but the procedures specified for individual parameters shall be referred to for more elaborate precautions to be taken against contamination of glassware. A separate set of glassware shall be maintained for the nitrate, mercury, and lead procedures due to the potential for contamination from the laboratory environment. All glassware used in organic chemical analyses shall have a final organic solvent rinse with n-hexane or acetone or must be baked at 400°C for 30 minutes and shall be air dried in an area free of organic contamination. Glassware must be covered with organic-free aluminum foil during storage.

d) Distilled or deionized water shall have resistivity values of at least 0.5 megohm-cm (conductivity less than 2.0 micromhos/cm) at 25°C. Laboratories are advised to request a list of quality specifications for any water purchased. The quality of the distilled or deionized water shall be maintained by protecting it from the atmosphere. Quality checks of the distilled or deionized water shall be made at least once each shift and documented. Reagent water for organic analysis must be free of interferences for the analytes being measured. It may be necessary to treat water with activated carbon to eliminate all interferences.

e) Reagents used for chemical analyses shall be of a quality at least equal to the grade recommended in the applicable analytical procedure reference.

f) Other-than-the-specified-requirements-set-forth-in-these-rules-and-regulations-laboratory safety practices are not considered an aspect of laboratory certification. However, certification officers may point out, on an informal basis, potential safety problems observed during on-site visits.

(Source: Amended at Ill. Reg. _____, effective _____) Section 183.230 Methodology and Required Equipment

Minimum equipment requirements, methodology, and references for individual parameters shall be as provided in Appendix A and B of this Part 183.

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Section 183.231 Alternate Analytical Techniques

(Source: Amended at Ill. Reg. _____, effective _____)

The drinking water regulations permit approval of alternate analytical techniques, if these techniques are demonstrated to produce results within the acceptance range of the approved methods. The process and requirements for obtaining approval is described in the document, "Requirements for Nationwide Approval of New and Optionally Revised Methods for Drinking Water Monitoring," N.S. Uimer, Environmental Monitoring Systems Laboratory, Cincinnati, Ohio 45268, 1988, exclusive of any subsequent amendments or editions. A copy of this publication is available for public inspection at the Illinois Environmental Protection Agency. To obtain more specific information, contact EMSL at (513) 569-7453.

(Source: Added at Ill. Reg. _____, effective _____)

Section 183.235 Sample Gathering Collection, Handling and Preservation

a)

The manner in which samples are collected and handled is critical for obtaining valid data. A written sampling protocol with specific sampling instructions should be available to sample collectors and for inspection by the certification officer. When the laboratory has responsibility for sample collecting, handling, and preservation, there must be strict adherence to correct sampling procedures, complete identification of the sample, and prompt transfer of the sample to the laboratory. Any sample not meeting the following criteria must not be analyzed:

1) Samples must be collected by persons trained in sampling procedures.

2) Analytical report forms must contain the location, date and time of collection, collector's name, and any special remarks concerning the sample.

b)

The following standards for container types, preservatives, and holding time shall be met for each individual parameter:

Parameter	Preservative	Container	Maximum Holding Time
Alkalinity			
Refrigerate at 4°C as soon as possible after collection			
			14 days

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Parameter ^a	Preservative ^b	Container ^c	Maximum Holding Time ^d
Arsenic	Conc HNO ₃ to pH less than 2 ^f	P or G	6 months
Asbestos	Cool 4°C	P or G	
Barium	Conc HNO ₃ to pH less than 2	P or G	6 months
Cadmium	Conc HNO ₃ to pH less than 2	P or G	6 months
Calcium	Conc HNO ₃ to pH less than 2	P or G	6 months
Chloride	None	P or G	28 days
Chromium	Conc HNO ₃ to pH less than 2	P or G	6 months
Copper	Conc HNO ₃ to pH less than 2	P or G	6 months
Cyanide	Add NaOH to pH greater than 12 refrigerate and keep in dark	P or G	24 hours
Fluoride	None	P	28 days
Hydrogen ion (pH)	None	P or G	2 hours
Iron	Conc HNO ₃ to pH less than 2	P or G	6 months
Lead	Conc HNO ₃ to pH less than 2	P or G	6 months
Manganese	Conc HNO ₃ to pH less than 2	P or G	6 months
Mercury	Conc HNO ₃ to pH less than 2	P or G	28 days
Mercury	Add 20 ml per liter of sample of a solution of 2.5% potassium dichromate in 1:1 HNO ₃	G P	38 days 14 days
Nitrate	Conc H ₂ SO ₄ to pH less than 2	P	14 days
Chlorinated	Cool 4°C	P or G	28 days
Non-Chlorinated	Conc H ₂ SO ₄ to pH less than 2	P or G	14 days ^f

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Parameter ^a	Preservative ^b	Container ^c	Maximum Holding Time ^d
Nitrite	Cool 4°C	P or G	48 hours
Selenium	Conc HNO ₃ to pH less than 2	P or G	6 months
Silver	Conc HNO ₃ to pH less than 2	P or G	6 months
Fluoride	None	P or G	1 month
Sodium	Conc HNO ₃ to pH less than 2	P or G	6 months
Sulfate	Cool 4°C	P or G	28 days
Total Dissolved filterable residue	Cool 4°C	P or G	7 days
Zinc	Conc HNO ₃ to pH less than 2	P or G	6 months
Chlorinated hydrocarbons Pesticides/PCBs	Refrigerate at 4°C as soon as possible after collection	G with foil or Teflon-lined cap	14 days ^e
Chloro-phenoxy	Refrigerate at 4°C as soon as possible after collection	G with foil or Teflon-lined cap	7 days ^e
Cyanide	Add NaOH to pH greater than 12 refrigerate & keep in dark	P or G	24 hours
Trihalo-methanes	0.008% sodium thiosulfate or ascorbic acid NA2S2O3 Refrigerate at 4°C as soon as possible after collection	G with Teflon-lined cap	14 days
Volatile Organic Compounds	HCl to pH less than 2, Cool 4°C	G with Teflon-lined cap	14 days
Alkalinity	Refrigerate at 4°C as soon as possible after collection	P or G	14 days
Calcium	Conc HNO ₃ to pH less than 2	P or G	6 months

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Parameter	Preservative	Container	Maximum Holding Time
Copper	Gene-HNO3-to-pH-less-than-2	P-or-G	6-months
Hydrogen Ion (pH)	None	P-or-G	2-hours
Iron	Gene-HNO3-to-pH-less-than-2	P-or-G	6-months
Manganese	Gene-HNO3-to-pH-less-than-2	P-or-G	6-months
Sodium	Gene-HNO3-to-pH-less-than-2	P-or-G	6-months
Total Dissolved Soluble Residue	Refrigerate-at-4-to-5-degrees-Celsius-after-collection	P-or-G	14-days
Zinc	Gene-HNO3-to-pH-less-than-2	P-or-G	6-months

NOTES:

a. If a laboratory has no control over these factors the laboratory director must reject any samples not meeting these criteria and so notify the authority requesting the analyses.

b. The following procedure shall be utilized if the concentrated acid specified for preservation cannot be used because of shipping restrictions: (1) the sample shall be initially preserved by icing and immediately shipped to the laboratory; (2) upon receipt in the laboratory, the sample shall be acidified with the concentrated acid specified for preservation to pH less than 2; and (3) at the time of analysis the sample container shall be thoroughly rinsed with a 1:1 solution of the same type of acid and water, with the washings being added to the sample.

c. P = Plastic, hard or soft; G = Glass, hard or soft.

d. In all cases, samples should be analyzed as soon after collection as possible.

e. Well-stoppered and refrigerated extracts can be held up to 30 days.

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NOTE: Nitric acid is a negative interference to arsenite-determined by the spectrophotometric method. Chemically suppressed ion chromatography methods cannot be used.

Section 183.240 Quality Control

a) A written description of the current laboratory quality control program shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place. A record of analytical quality-control tests and quality-control checks on materials and equipment shall be prepared and retained for 5-years.

b) A laboratory manual containing complete written instructions for each parameter for which the laboratory is certified shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place.

c) A laboratory shall analyze unknown performance evaluation samples provided by the Agency or participate in the USFPA's Water Supply Performance Evaluation Survey so that results proving satisfactory precision and accuracy, as specified in Section 183.140, are submitted to the Agency once per year for the parameters for which the laboratory is certified. When performance evaluation samples results indicate technical error, the Agency will provide appropriate technical assistance, and follow-up performance evaluation samples shall be analyzed by the laboratory.

AGENCY NOTE: A copy of the USFPA's Water Supply Performance Evaluation Survey may be obtained from the US EPA's Region V offices located at 230 South Dearborn Street, Chicago, Illinois 60604.

d) A laboratory shall conduct analyses on quality control samples (U.S. EPA Quality Control Sample or equivalent) once per quarter for the parameters for which a laboratory is certified.

e) A current service contract shall be in effect on all analytical balances.

f) National Institute of Standards and Technology, Department of Commerce, Gaithersburg, M.D. 20899 (NIST) Standardized Class "S" weights shall be available at the laboratory to make periodic checks on balances. This frequency shall not exceed one month. A record of these checks is to be available for inspection.

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- f)g) ~~At least one thermometer, 1°C or finer subdivision to 180°C and certified by or traceable to the National Bureau of Standards NIST (or one of equivalent accuracy) shall be available to check thermometers in ovens, etc.~~
- g)h) ~~Color standards or their equivalent shall be available to verify wavelength settings from 200 to 800 nm on spectrophotometers. A record of these checks shall be available for inspection. The specific checks and their frequency shall be as prescribed in the laboratory's QA plan. The frequency of these checks shall not exceed 6 months.~~
- h)l) ~~Chemicals shall be dated upon receipt of shipment and replaced as needed or, if earlier, before shelf life has been exceeded.~~
- i) ~~A laboratory should conduct analyses on known reference samples once per quarter for the parameters measured.~~
- j) ~~The following quality control procedures shall be utilized by the laboratory for inorganic parameters each analyte for which a laboratory is certified:~~
- 1) ~~After At the beginning of each day that samples are to be analyzed, a standard reagent curve composed of a minimum of a reagent blank and three standards has been prepared, subsequent standard curves shall be verified by use of at least a reagent blank and one standard at or near the maximum allowable concentration. Daily checks must be within ±10 percent of original curve, and covering the sample concentration range must be analyzed.~~
 - 2) ~~If 20 or more samples per day are analyzed, working standard curve shall be verified by running an additional standard at or near the maximum allowable concentration every 20 samples. Daily checks must be within ±10 percent of original curve. Calibration for some methods is so time-consuming that subsection (j)(1) is impractical. For these methods, the standard curve is to be initially developed as specified in subsection (j)(1). Thereafter, at the beginning of each day on which analyses are performed, this curve is to be verified by analysis of at least a reagent blank and one standard in the expected concentration range of the samples analyzed that day. All checks shall be within ±10 percent of the original curve or meet the specifications of the approved method.~~
 - 3) ~~If the reagent blank stated in subsection (j)(1) is not carried through the full analytical procedure, then some other blank (at least one a day) must be carried through the entire analytical~~

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- procedure. Results from reagent blanks shall not exceed the laboratory's determined method detection limit.
- 4) The laboratory should add a known spike to a minimum of 10 percent of the routine samples (except when the method specifies a different percentage, i.e., furnace methods) in order to determine if the entire analytical system is in control. The spike concentration shall not be substantially less than the background concentration of the sample selected for spiking. These checks shall be evenly spaced and one check shall be at the end of the day's analyses. Over time, samples from all routine sample sources shall be spikes. If any of these checks are not within the limits specified in subsection (j)(5), a standard shall be analyzed to determine if the "out of control" condition was due to sample matrix or system operation. This standard must be analyzed through the complete analytical system. Corrective action must be taken in accordance with the laboratory's quality assurance plan.
 - 5) The laboratory shall develop traditional quality control chart criteria for the various quality control checks specified in subsection (j)(4) (see Chapter 6 of the Handbook for Analytical Quality Control in Water and Wastewater Laboratories, EPA-600/4-79-019, or similar quality control reference texts for further information). Since percent recovery may not be a constant, the percent recovery data may have to be separated into concentration intervals before control limits are calculated for each interval. The laboratory must continue to calculate traditional control limits for each analyte as additional results become available. It is further required that the laboratory periodically determine the method detection limits in accordance with Appendix B to 40 CFR 136.
 - 6) If the method requires any additional quality control, it shall be performed in the laboratory.
- k) The following quality control procedures shall be utilized by the laboratory for organic parameters:
- 1) For each day on which pesticide or phenoxyacid analyses are initiated, or trihalomethane reagent water is prepared, a laboratory method blank shall be analyzed with the same procedures used to analyze samples;
 - 2) A minimum of three calibration standards shall be analyzed each day, except that a minimum of one calibration standard per day is sufficient if the laboratory can demonstrate that the instrument response is linear through the origin and the

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- a) Free and total chlorine residual measurements do not need to be done in certified laboratories, but may be performed by any persons if such persons adhere to the following standards in their analyses:
- 1) Samples shall not be preserved for later analysis. All analyses shall be made as soon as practicable, but no later than one hour after sample collection;
 - 2) Plastic or glass containers shall be used for sample collection;
 - 3) A DPD Colorimetric Test Kit, or a spectrophotometer, or a photometer shall be available; and
 - 4) The DPD Colorimetric Method specified in "Standard Methods for the Examination of Water and Wastewater," 13 16th Edition, American Public Health Association, (New-York, New-York, 1971 Washington, D.C., 1985), pp. 129-132 shall be utilized.
- b) Turbidity measurements do not need to be done in certified laboratories, but may be performed by any persons approved by the Agency in accordance with Technical Policy Statement 309(B)(2) of the Illinois Environmental Protection Agency, Division of Public Water Supplies, if such persons adhere to the following standards in their analyses:
- 1) Samples shall not be preserved for later analysis. All analyses shall be made as soon as practicable, but no later than one hour after sample collection;
 - 2) Plastic or glass containers shall be used for sample collection;
 - 3) A nephelometer shall be available;
 - 4) The Nephelometric Method specified in "Standard Methods for the Examination of Water and Wastewater," 13 16th Edition, American Public Health Association, (New-York, New-York, 1971 Washington, D.C., 1985), pp. 250-253 or in "Methods for Chemical Analysis of Water and Wastes," United States Environmental Protection Agency, Office of Technology Transfer, Washington, D.C. 20460, (1974), pp. 295-298, shall be utilized; and
 - 5) Sealed liquid turbidity standards purchased from the instrument manufacturer must be calibrated against properly prepared and diluted formazin standards at least every 4 months in order to monitor their eventual deterioration. The standards shall be replaced when any major change from the previous calibration occurs. Solid turbidity standards composed of plastic, glass, or other materials shall not be used.

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(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.255 Action Response to Laboratory Results

When a laboratory's results indicate that a maximum allowable concentration of any parameter has been exceeded by a public water supply, the person requesting facility the analysis shall be notified as soon as possible, but in any event within 48 hours, two business days of the unsatisfactory sample result.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

SUBPART C: MICROBIOLOGICAL ANALYSES OF PUBLIC WATER SUPPLY SAMPLES

Section 183.310 Personnel Requirements

- a) ~~The laboratory director shall be a person holding a minimum of a bachelor's degree in natural or physical sciences with at least 24 semester hours in chemistry or microbiology or both and shall have had a minimum of three years experience in an environmental laboratory. The laboratory director shall be either a full-time employee or a consultant.~~
- ba) The laboratory supervisor shall be a person holding a minimum of a bachelor's degree in microbiology, biology, chemistry, or a closely related field. In addition, the laboratory supervisor shall have had a minimum of one year of bench experience in an environmental laboratory in the area of analytical responsibility and shall demonstrate ability to properly perform representative test procedures under his or her supervision while under observation by the certification officer. ~~However, only the requirements specified in Section 183.310(c) shall be required for a laboratory supervisor employed by water or sewage treatment plants that serve communities with a population of 30,000 or less.~~ A laboratory supervisor shall be a full-time employee.
- cb) An analyst is a person who performs microbiological analyses on waters, has a minimum of a high school diploma in academic or laboratory oriented vocational courses, and has had a minimum of six ~~three~~ months bench experience in a microbiological analytical laboratory. In addition, an analyst shall demonstrate ability to properly perform representative test procedures with which he or she is involved while under observation by of the certification officer, ~~and shall have satisfactory results in the split water sample program.~~ Analysts shall be under the direct supervision of the laboratory supervisor.

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at least two separate rooms a room for potable water, non-potable source and recreation waters; and a room for sewage).

e) A separate area for preparation and sterilization of media, glassware, and equipment shall be provided. Laboratory water or sewage treatment plants that serve a population of 30,000 or less may carry out these activities in the same room(s) as used for microbiology provided all activities of this nature are carried on in a separate area of the room(s).

f) Walls and ceilings shall be covered with waterproof paint, enamel, ceramic tile, or other surface material that provides a smooth finish which is easily cleaned and disinfected.

g) A minimum of 6 linear feet of useable bench space, free of equipment, shall be provided for each analyst.

h) Bench tops shall be stainless steel, epoxy plastic, or other smooth impervious material which is inert, corrosion resistant, has a minimum number of seams, and is level.

i) Laboratory lighting shall be even and provide a minimum of 100 footcandle light intensity at all working surfaces.

j) The laboratory shall include a sink with hot and cold running water. All water supply outlets shall be protected by approved vacuum breakers.

k) Laboratories shall be well ventilated and free of dusts, drafts, and extreme temperature changes. Central air-conditioning is recommended to reduce contamination, permit more stable operation of incubators, and decrease moisture problems with media and analytical balances.

l) The temperature within the laboratory shall be maintained at between 60° and 80° F.

m) An adequate electrical supply for operation of instruments and mechanical needs shall be provided. The certification officer may require verification from an official inspector or other qualified person that the laboratory meets local and national electrical codes.

n) All electrical outlets shall be properly grounded.

o) Instruments shall be properly grounded with an internal or external regulated power supply available to each instrument.

p) All plumbing shall meet local and state plumbing codes. The certification officer may require verification from an official inspector or other qualified person that the laboratory meets such codes.

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d) Support personnel are persons who have had a minimum of 30 days on-the-job training in areas of responsibility. Support personnel shall be under the supervision of the laboratory supervisor and shall demonstrate ability to properly perform representative test procedures with which he or she is involved while under observation by the certification officer if requested to do so.

ec) A person who is serving in a certified environmental laboratory in any other capacity as defined in Section 183.310(a) or (b) and does not meet either the educational requirements or experience requirements or both for said position may be recommended by the certification officer to continue to serve in said position by the certification officer. In recommending that an existing laboratory director or supervisor, a certified analyst continue to fill a vacancy for the position of laboratory supervisor. In making these recommendations the certification officer shall take into account the following factors:

1) Length of experience as an offset for not meeting educational requirements;

2) Extent of education as an offset for not meeting experience requirements; and

3) For analysts, demonstration of ability to properly perform representative test procedures with which he or she is involved while under observation by the certification officer.

(Source: Amended at 111. Reg. effective _____)

Section 183.315 Physicist Laboratory Facilities

The laboratory's physical facilities shall meet the following specifications:

a) A minimum of 150 square feet of floor space shall be provided for each analyst.

b) Floors shall be covered with asphalt tile, vinyl, concrete, or other impervious, washable surface; which can be easily maintained.

c) Ample floor space shall be available for stationary equipment such as autoclaves, incubators, and hot-air sterilization ovens. Storage space that is free of dust and insects shall be provided for the protection of glassware, media, and portable equipment.

d) Laboratories analyzing potable waters, non-potable source and recreation waters, and sewage by microbiological methods shall have

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- p) The laboratory shall include a vacuum source if the analyses performed so require.
- q) The laboratory shall be located in an area sufficiently free from noise and vibrations to prevent interference with its functions.
- r) The laboratory shall have a readily available source of laboratory pure water.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 183.320 Laboratory Equipment

Only those instruments that are needed to analyze for the parameters for which the laboratory is being certified are required, but those instruments shall meet the following minimum specifications. A laboratory doing all the analyses described in Section 183.335 shall have, or have access to, all of the equipment listed in this Section with the minimum specifications cited.

- a) A top loading or trip pan balance shall be clean, not corroded, and provided with ~~appropriate weights of good quality~~ Class S or S-1 weights, certified by the manufacturer as meeting the requirements established by the NIST.
- 1) A torsion or trip pan balance used for weighing materials of 2 grams or more shall detect 100 mg of weight accurately at a 150 gram load.
 - 2) An analytical balance used for weighing quantities of less than 2 grams shall be sensitive to ~~0.1~~ 1 mg at a 10 gram load.
- b) A magnetic stirrer shall be of variable speed, 120 volts, and use a Teflon-coated stirring bar. The magnetic stirrer may be equipped with a heating element.
- c) A pH meter shall have an accuracy of at least ~~± 0.05~~ 0.1 units and a scale readability of at least ~~± 0.1~~ units. The pH meter may be either line/bench or battery/portable operated.
- d) A conductivity meter and cell combination, suitable for checking ~~distilled~~ laboratory pure water quality, shall be readable in ohms or mhos, and have a range of up to 2.5 megohms-cm resistivity (conductivity down to 0.4 micromhos/cm) ~~± 1~~ percent. The conductivity meter may be either line/bench or battery/portable operated.
- e) An autoclave shall be horizontal-chambered and shall meet all of the following specifications:

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- 1) When observed during the operational cycle or when time-temperature charts are read, the autoclave shall be in good operating condition;
 - 2) An operating safety valve shall be included;
 - 3) Separate temperature and pressure gauges shall be located on the exhaust side;
 - 4) The autoclave shall reach and maintain a temperature of 121°C during the sterilization cycle, and no more than 45 minutes shall be required for a complete cycle of carbohydrate media; and
 - 5) Depressurization shall not produce gas bubbles in fermentation media.
- f) A hot-air sterilization oven shall operate at a minimum of 175°C, shall be equipped with a thermometer inserted through the top porthole or be equipped with a temperature recording device, and shall be equipped with a thermostatic control that will not allow the temperature to deviate by more than $\pm 5^\circ\text{C}$ from the temperature setting.
- g) An incubation unit shall maintain an internal temperature of $35^\circ \pm 0.5^\circ\text{C}$ or $44.5^\circ \pm 0.2^\circ\text{C}$ and shall be of the following type: air or water jacketed incubator, incubator room, waterbath, or aluminum block incubator. Incubation units of the aluminum block type shall have culture dishes and tubes that are snug fitting in the block.
- h) An ultraviolet sterilizer shall be free from radiation ~~leaks~~ leaks and shall be UV efficiency tested quarterly as described in ~~"Microbiological Methods for Monitoring the Environment," U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Environmental Research Center, Cincinnati, Ohio 45268-(EPA-600/8-78-017), December 1978~~ "Standard Methods for the Examination of Water and Wastewater." Proper eye protection shall be available for users of the ultraviolet sterilizer. The ultraviolet sterilizer shall not be used as a substitute for an autoclave. The unit shall be disconnected monthly and the lamps cleaned by wiping with a soft cloth moistened with ethanol.
- AGENCY NOTE: The "Standard Methods for Examination of Water and Wastewater," referenced in this subpart C, shall be the 16th Edition, American Public Health Association, Washington, D.C., 1985, exclusive of any subsequent amendments or editions. A copy of this publication is available for public inspection at the Department of Public Health.
- i) ~~A hot-plate may be a large or small unit and shall have a~~

with a magnification power of 10 to 15 diameters, and an external daylight fluorescent light source for sheen discernment at an angle of 60° to 80° above the colonies.

rm) A mechanical hand tally shall be available for counting colonies on membrane filters or agar pour plates.

en) Where metal inoculation loops are used, anaerobation equipment shall have loops shall be of 22 to 24 gauge Nichrome, chromel, or platinum-iridium wire; with loop diameters of at least 3 mm. Hot-air sterilized wooden applicator sticks or presterilized plastic loops may be used.

pg) Membrane filter equipment shall be non-leaking, uncorroded, and made of stainless steel, glass, or autoclavable plastic. Metal plating on membrane filter equipment shall not be worn so as to expose base metal.

gp) Membrane filters shall be white, grid marked, 47 mm diameter, with 0.45 micron pore size, and made from cellulose ester materials. Another pore size may be used if the manufacturer gives performance data equal to or better than the 0.45 micron membrane filter. Membrane filters shall be autoclavable or presterilized.

fq) Absorbent pads shall be of uniform thickness to permit 1.8 to 2.2 ml media absorption and shall be autoclavable or presterilized. Filter paper shall be free from growth inhibitory substances.

fr) Forceps used to handle membrane filters and absorbent pads shall have a round tip without corrugations. (Source: Amended at Ill. Reg. _____, effective _____)

Section 183.325 Laboratory Glassware, Plastic Ware, and Metal Utensils

the following standards shall apply to glassware, plastic ware, and metal utensils used in the laboratory.

a) Except for disposable plastic ware, items shall be resistant to effects of corrosion, high temperature, and vigorous cleaning operations. Metal utensils made of stainless steel are preferred. Plastic items shall be of heat, inert, non-toxic material and shall retain accurate graduations or calibration marks after repeated autoclaving. Glassware which is used for purposes that may subject it to damage from heat or chemicals shall be of borosilicate glass. All glassware shall be free of chips, cracks, or excessive etching. All volumetric glassware shall be Class A, denoting that it meets Federal Specifications and is certified by the

calibrated before use Federal Specifications and is certified by the

selectable temperature control for safe heating of laboratory media and reagents.

fl) A refrigerator shall maintain a temperature of between 1° and 4.4°C and shall be equipped with a thermometer located on the top shelf. The thermometer shall be graduated in at least 1°C increments and the thermometer bulb shall be immersed in liquid.

kl) An agar-tempering agar tempering water bath shall be of appropriate size for holding melted medium and shall be thermostatically controlled at 45° ± 1°C.

lk) The following standards shall apply to temperature monitoring devices:

- 1) Glass or metal thermometers shall be graduated in no greater than 0.5°C units for use in 35°C incubators.
- 2) Glass or metal thermometers shall be graduated in no greater than 0.1° or 0.2°C units for use in 44.5°C waterbaths or aluminum block type incubators.
- 3) Continuous temperature recording devices shall be sensitive to at least 0.5°C when used on 35°C incubators, and shall be sensitive to at least 0.2°C when used for 44.5°C waterbaths or aluminum block type incubators.

4) An NBS NIST certified thermometer, or one of equivalent accuracy graduated in 0.2°C or less, shall be available for calibration use and shall be accompanied with its certification papers and procedures for use. Unless otherwise specified in this Subpart, all thermometers and temperature recording devices shall be calibrated against such certified thermometer to within ± 1.0°C (± 1.8°F).

5) Each laboratory shall have a maximum registering thermometer in the range of 200° to 400°F (90° to 200°C) graduated in increments no greater than 2°F (1°C).

6) Each laboratory shall use separate thermometers for determining the temperatures of waterbaths, ovens, autoclaves, samples, refrigerators, storage areas, etc.

7) The liquid column of glass thermometers shall have no separations.

m) Optical counting equipment shall include a low power magnification device of the dissecting or stereo-microscope type

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manufacturer as meeting the standards established by the American Society for Testing and Materials (ASTM).

- b) Graduated cylinders for measurement of sample volumes shall have a tolerance of 2.5% or less. Precalibrated containers shall have clearly marked volumes of 2.5% tolerance. The calibration of each precalibrated container shall be checked by measuring the volume of ten calibrated containers.
- cb) Media preparation utensils shall be of borosilicate glass or stainless steel, and shall be clean and free from foreign residues or dried medium.
- de) Pipets shall meet the specifications set forth in "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, (Washington, D.C., 1976), p. 882. Containers for glass pipets shall be of either stainless steel or aluminum. ~~Pipets used for measuring 10 ml samples or less shall be sterile and of glass or plastic.~~ Opened packages of sterile disposable pipets shall be securely resealed between uses.
- d) ~~Sterile graduated cylinders with legible graduation marks shall be used for measurement of samples larger than 10 ml, except that membrane filter funnels marked to within an accuracy of ±2.5% may be used in lieu thereof.~~
- e) Culture dishes shall be sterile and shall be of the tight or loose-lid plastic, or loose-lid glass type. In addition, culture dishes shall be of 100 mm x 15 mm or 60 mm x 15 mm size; and shall be clear, flat bottomed, and free from bubbles or scratches or both. Containers for culture dishes shall be of aluminum or stainless steel; or culture dishes shall be wrapped in heavy aluminum foil or char-resistant paper. Open packages of sterile ~~disposal~~ disposable culture dishes shall be securely resealed between uses. Loose-lid dishes shall be incubated in a tight-fitting container to prevent dehydration of membrane filter and medium.
- f) Culture tubes shall be of borosilicate glass or other corrosion resistant glass, and shall be of sufficient size to contain culture medium, as well as the sample portions employed, without being more than three-fourths full. Culture tube closures shall be snug loose fitting stainless steel, or plastic caps, or ~~loose-fitting~~ aluminum caps, or plastic screw caps with non-toxic liners.
- g) Dilution bottles shall be of borosilicate glass or other corrosion resistant glass, or autoclavable plastic, and shall be free of chips and cracks at the lip. A graduation level shall be distinctly marked

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on the side of dilution bottles at 99 ml. Dilution bottle closures shall be plastic screw caps with leakproof liners and shall not produce toxic substances during the sterilization process.

- h) Sample bottles shall be sterile, of plastic or hard glass, wide mouthed, and of at least 120 ml capacity. Sample bottle closures shall be glass stoppers or screw caps (metal or plastic), capable of withstanding repeated sterilization, with leakproof liners, and shall not produce toxic substances during the sterilization process. Glass-stoppered bottle closures shall be covered with aluminum foil or char-resistant paper for sterilization. Metal caps with exposed bare metal on the inside shall not be used. Presterilized bags, with or without a dechlorinating reagent, may be used.

(Source: Amended at ___ Ill. Reg. ____, effective _____)

Section 183.330 General Laboratory Practices

- a) The following standards shall apply to sterilization procedures:
 - 1) Autoclaving of the following items shall be carried out at 121° ± 1°C for the durations specified below:

Item	Minimum duration of autoclaving
Membrane filters and pads	10 minutes
Carbohydrate-containing media (lauryl tryptose, brilliant green lactose bile broth, etc.)	12-15 minutes
Contaminated materials and discarded tests	30 minutes
Membrane filter assemblies (wrapped), sample collection bottles (empty), and individual glassware items	30 minutes
Rinse water volumes of 500 ml to 1000 ml	45 minutes
Rinse water volumes in excess of 1000 ml	Time adjusted for volume; check for sterility
Dilution water blanks	30 15 minutes

2) Membrane filters and pads and all media shall be removed from the autoclave immediately after completion of the sterilization cycle.

32) The maximum elapsed time for exposure of carbohydrate-containing media to any heat (from the time of closing the loaded autoclave to unloading) shall be 45 minutes.

43) Membrane filter assemblies shall be sterilized autoclaved between each sample filtration series. A filtration series ends when 30 minutes or more have elapsed between sample filtrations. A UV sterilizer or boiling water may be used on membrane filter assemblies for at least 2 minutes to prevent bacterial carry-over between sample filtrations, but shall not be used as a substitute for autoclaving between sample filtration series.

b) Laboratory pure water, which may be distilled, deionized, or other processed water, shall meet the standards set forth in Section 183.345. Only water determined to be laboratory pure water shall be used for performing bacteriological analyses.

c) Rinse and dilution water shall be prepared in the following manner:

1) Prepare a phosphate buffer solution of potassium dihydrogen phosphate (KH₂PO₄) with laboratory pure water as specified in "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, Washington, D.C., 1976, p. 892-893.

2) The phosphate buffer solution shall be autoclaved or filter sterilized, labeled, dated, and stored at 10° to 4.40C.

3) The stored phosphate buffer solution shall be free of turbidity.

4) Rinse and dilution water shall be prepared by adding 1.25 ml of stock phosphate buffer solution and 5.0 ml of magnesium chloride solution per liter of laboratory pure water, and shall have a final pH of 7.2 ± 0.2 6.5 - 7.4.

5) When preparing rinse and dilution water laboratories analyzing non-potable water may use magnesium sulfate as specified in

Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, Washington, D.C., 1976, p. 892 or magnesium chloride as specified in "Methods for Monitoring the Environment," U.S. Environmental Protection Agency, (EPA-600/8-78-017), December 1978, in addition to the stock phosphate buffer solution.

52) Check each batch of dilution/rinse water for sterility by adding 50ml of water to 50ml of double strength, nonselective broth. Incubate at 35.0° ± 0.5° C for twenty-four hours and check for growth.

d) The following minimum standards shall be met for storing and preparing media:

1) Laboratories shall use commercial dehydrated media for routine bacteriological procedures as quality control measures.

2) All media shall be prepared according to the media specifications of "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, Washington, D.C., 1976, p. 892-902.

3) Dehydrated media containers shall be kept tightly closed and stored in a cool, dry location. Discolored or caked dehydrated media shall not be used.

4) All water used shall be laboratory pure water.

5) Dissolution of the media shall be completed before dispensing to culture tubes or bottles.

6) Membrane filter broths and agar media shall be heated in a boiling water bath or, if constantly attended, a hot plate with a stir bar, until completely dissolved. The medium shall not be boiled. Denatured ethanol shall not be used.

7) Membrane filter broths shall be stored and refrigerated no longer than 96 hours prior to use. Membrane filter agar media shall be stored in a refrigerator, and used within two weeks after preparation. Prepared plates shall be stored in sealed plastic bags or containers to minimize evaporation.

8) Most probable number (MPN) Multiple Tube Fermentation (MTF) media, when prepared in tubes with loose-fitting caps, shall be used within one week after preparation. If MPN MTF media are refrigerated after sterilization, they shall be incubated overnight at 35°C to confirm usability. Tubes of MPN MTF media

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showing growth or gas bubbles shall be discarded. Use refrigerated M Endo agar LES within two weeks of refrigeration.

- 9) MPN MTF media in screw cap containers may be held up to three months, provided the media are stored in the dark and evaporation does not exceed 0.5 ml per 10 ml total volume.
- 10) Ampuled media such as M-Endo broth and M-FC broth may be used in emergencies ~~emergencies and in these laboratories analyzing fewer than 30 microbiological samples from public water supplies per month,~~ provided the ampuled media has been prepared in a microbiological water laboratory certified by the regulatory agency having responsibility for laboratory certification in the States where ampuled media is manufactured. Record date received, type of medium, lot number, and pH verification. Medium shall be discarded by manufacturer's expiration date.
- 11) Preparation of MMO-MUG medium from basic ingredients by the laboratory is not permitted. Medium shall be protected from light. Ingredients and tubes supplied by manufacturers are sterile and shall not be autoclaved.
- 12) Temper melted heterotrophic, plate-count media at 44 to 46 C before pouring. Melted agar shall be held no longer than three hours. Sterile agar medium shall not be melted more than once.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 183.335 Methodology

A laboratory must be certified for all analytical methods listed below that it uses. At a minimum, the laboratory must be certified for one total coliform method; one fecal coliform or E. coli method; and the pour plate method for heterotrophic bacteria.

- a) The following methodology, as specified in the listed references, shall be followed for individual parameters:

Type of water	Parameter	Methodology	Reference ^a (page-number)
Potable	Total coliforms	Standard total coliform MPN MTF & PA tests ^b	916-919 a & c

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Type of water	Parameter	Methodology	Reference ^a (page-number)
Potable	Total coliforms	Standard total coliform membrane filter procedure	928-935 a & c
Potable	Fecal Coliforms	EC Verification	c
Potable or Non-potable	Fecal coliforms	Fecal coliform MPN MTF procedure	922 a
Non-potable	Fecal streptococcal	Multiple-tube fecal MTF procedure	943-944 a
Non-potable	Fecal coliforms	Fecal coliform membrane filter procedure	937-939 a & c
Non-potable	Fecal streptococcal	Membrane filter fecal procedure	944-945 a
Potable and non-potable	Bacterial total count	Standard Heterotrophic plate count	908-913 a
Potable and non-potable	Total Coli.	MMO-MUG	c

NOTES:

- a. "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, (Washington, D.C., 1976).
- b. Excluding the gram-stain technic.
- c. "Manual for the Certification of Laboratories Analyzing Drinking Water," U.S. EPA 570/9-90/008A, 3rd Edition, (Change 1 - October, 1991). A copy of this manual can be obtained by contacting the U.S. Environmental Protection Agency, Washington, D.C. 20460. This manual as published and dated is exclusive of subsequent amendments or editions.

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collected from chlorinated water supplies, sodium thiosulfate shall be added to the sample bottles in an amount sufficient to provide an approximate concentration of 100 mg per liter of sample prior to sterilization of the sample bottles. As an example, 0.1 ml of a 10 percent sodium thiosulfate solution is required for a 120 ml sample bottle.

- g) The following information shall be added to the sample report form when the sample is delivered to the laboratory:
 - 1) Date and time of sample arrival; and
 - 2) Name or initials of the person receiving the sample for the laboratory.
 - 3) Each sample shall be assigned a laboratory number. In the event of a repeat or replacement sample, the number assigned to the original sample shall also be recorded.
- h) Records necessary to establish chain-of-custody of the samples shall be maintained.
- i) ~~Samples delivered by collectors to the laboratory shall be analyzed on the day of arrival in the laboratory, and no later than 48 hours after collection (preferably within 30 hours after collection). If a sample is run after the 30 hour limit the laboratory must indicate on the report form that the results may be invalid due to excessive delay before processing. Without exception, samples arriving more than 48 hours after collection shall be refused and a new sample requested.~~
- j) ~~Where it is necessary to send water samples by mail, bus, United Parcel Service, courier service, or private shipper, elapsed time between sampling and analyses should not exceed 30 hours. Without exception, samples arriving more than 48 hours after collection shall be refused and a new sample requested.~~
- k) Samples of potable water for standard heterotrophic plate count analysis shall be refrigerated and delivered to the laboratory within 6 hours after collection.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 183.345 Standards for Laboratory Pure Water

The following standards shall apply to all laboratory pure water:

- a) Laboratory pure water shall have these characteristics:

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Property	Value
pH	5.5--7.5
Conductivity	Less than 500 2.0 micromhos/cm (resistivity greater than 0.25 megohm cm) ± 1 percent at 25°C
Trace metals:	
Individual metals (Cd, Cr, Cu, Ni, Pb, Zn)	Less than or equal to 0.05 mg/l
Total metals	Less than or equal to 0.1 mg/l
Test for bactericidal properties of distilled water	Ratio of 0.8 to 3.0
Free chlorine residual	None
Standard Heterotrophic plate count	Less than 1,000 500/ml

- b) Laboratory pure water shall be analyzed initially and annually thereafter by the test for bacteriological quality of distilled water as specified in "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, (Washington, D.C., 1976), pp. 888-891. Only satisfactorily tested water shall be used in preparing media, reagents, rinse, and dilution water. If the water tested does not meet the requirements, corrective action shall be taken and the water retested.
- c) Laboratory pure water shall be analyzed monthly for conductance, pH, chlorine residual, and standard heterotrophic plate count. Standard Heterotrophic plate counts shall be performed as specified in "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, (Washington, D.C., 1976), pp. 908-913. If the water tested exceeds requirements for these properties, corrective action shall be taken and the water retested.
- d) Laboratory pure water shall not be in contact with heavy metals, and shall be analyzed initially and annually thereafter for trace metals (especially Pb, Cd, Cr, Cu, Ni, and Zn). If the water tested exceeds requirements for trace metals, corrective action shall be taken and the water retested.

transferred to the BGLB-stimulated-plate method. However, if the number of colonies exceeds 10/100 ml, then randomly pick 10 colonies for verification. An acceptable alternative method is to swab the entire membrane surface and transfer the swab to the verification test media.

2) A start and finish membrane filtration control test of rinse water, media, and supplies shall be conducted for each filtration series. If sterile controls indicate contamination, all data on samples affected shall be rejected and a request made for immediate resampling of those waters involved in the laboratory error.

3) The MPN MTF test shall be carried to completion, except for gram staining, on 10 percent of positive confirmed samples. (A positive sample for total coliform consists of one or more positive confirmed tubes by MPN MTF.) If no positive tubes result from the potable water samples, the completed test, except for gram staining, shall be performed quarterly on at least one positive source water.

4) When quality control samples are available, each approved analyst shall analyze at least one per year for the parameters measured.

5) When unknown performance evaluation samples are available, each approved analyst shall analyze at least one per year for the parameters measured. When performance evaluation sample results indicate technical error, the Agency will provide appropriate technical assistance and follow-up performance evaluation samples shall be analyzed by the laboratory to determine the cause and make suggestions for correction of the problem.

6) Each approved analyst shall monthly verify each total coliform analysis by plating at least 10 isolated colonies from membranes containing 100-1000 colonies and transfer to a tryptic soy agar plate. The tubes shall be incubated at 35°C for 24-48 hours and read for gas production. Growth shall be indicated by a turbidity or gas production. Each analyst approved for the total coliform procedure by the membrane filter technique shall monthly verify total coliform analyses by swabbing three plates from a known positive sample and inoculating tryptic soy agar plates from each plate. The lauryl tryptic broth and brilliant green lactose bile broth shall be

e) The following quality control tests for standard heterotrophic plate count shall be utilized:

1) Sterility controls shall be poured for each bottle of sterile, melted, tempered medium used.

2) Sterility of pipets and petri dishes shall be determined.

3) Microbial density of the air during plating procedures shall be determined for each series of samples plated. When 15 or more colonies appear on an exposed plate after a 15 minute exposure period and 48 hours of incubation at 35°C, corrective action shall be taken.

4) The sterility of dilution water shall be determined, if used.

(Source: Amended at Ill. Reg. _____, effective _____)
Section 183.350 General Quality Control Procedures

a) A written description of the current laboratory quality control program shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place. A record of analytical quality control tests and quality checks on media, materials, and equipment shall be prepared and retained for 5 years.

b) A laboratory manual containing complete written instructions for each parameter for which the laboratory is certified shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place.

c) The following minimum requirements shall apply to analytical quality control tests for general laboratory practices and methodology:

1) At least 10-20 shear or bordering shear colonies shall be verified from each membrane containing 10 or more such colonies. A positive sample for total coliform shall be based on a verified count of colonies. Growth shall be indicated by a turbidity or gas production. Each analyst approved for the total coliform procedure by the membrane filter technique shall monthly verify total coliform analyses by swabbing three plates from a known positive sample and inoculating tryptic soy agar plates from each plate. The lauryl tryptic broth and brilliant green lactose bile broth shall be

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incubated at 35.0 + 0.5 C for twenty-four to forty-eight hours. Turbid growth with gas production indicates a positive result.

- 6) Each analyst approved for EC verification shall monthly inoculate three tubes of EC medium with the same swabs used to perform the monthly total coliform verification. EC medium shall be incubated at 44.5 + 0.2 C for twenty-four hours.
- 7) Each analyst approved for the fecal coliform procedure by the membrane filter technique shall monthly verify fecal coliform analyses by picking at least ten isolated colonies from membranes containing typical blue colonies and transferring to lauryl tryptose broth and EC medium. The lauryl tryptose broth shall be incubated at 35.0 + 0.5 C for twenty-four to forty-eight hours. The EC medium shall be incubated at 44.5 + 0.2 C for twenty-four hours. Turbid growth with gas production indicates a positive result.
- 78) Each approved analyst shall monthly verify analyses for fecal streptococci by picking at least 10 isolated pink to red colonies and transferring to brain heart infusion (BHI) agar and broth. The catalase test shall be performed on 24 hour cultures that have been incubated at $35^{\circ} \pm 0.5^{\circ}\text{C}$, with catalase negative cultures (possible fecal streptococci) transferred to 40 percent bile BHI broth and incubated at $35^{\circ} \pm 0.5^{\circ}\text{C}$. Also, catalase negative cultures shall be transferred to BHI broth and incubated at $45^{\circ} \pm 0.5^{\circ}\text{C}$. Growth at both temperatures verifies fecal streptococci.
- 89) If there is more than one analyst in the laboratory, at least once per each month each analyst shall perform parallel analyses on at least one positive sample in order to compare performance between analysts count the same heterotrophic plate count plate, total coliform membrane, fecal coliform membrane and fecal streptococcus membrane (if appropriate). Colony counts between analysts shall agree within 10 percent.
- 910) The standards for laboratory pure water specified in Section 183.345 shall be met.

(Source: Amended at ___ Ill. Reg. ____, effective _____)

Section 183.355 Quality Controls for Media, Equipment and Supplies

The following minimum requirements shall apply to quality control checks of laboratory media, equipment, and supplies:

- a) The pH meter(s) shall be clean and calibrated each use period with pH 4, and pH 7, or pH-7 and pH 10 standard buffers. Each buffer aliquot

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shall be used only once. Commercial buffer solutions shall be dated on initial use. Do not use past the expiration date. Maintain electrodes according to manufacturer's recommendations.

- b) Balances shall be calibrated at least annually monthly using NIST standardized Class "S" or "S-1" weights or weights traceable to Class S or S-1 weights. If nonreference weights are used, they shall be calibrated annually with Class S or S-1 weights. A minimum of three weights which bracket the weighing requirements of the laboratory shall be used. Balances shall be calibrated by service contract annually, and rechecked as required.
- c) Glass thermometers or continuous temperature recording devices for incubators shall be checked at least annually for accuracy and metal thermometers shall be checked at least quarterly for accuracy against an NBS NIST certified thermometer, or one of equivalent accuracy.
- d) Temperature in incubation equipment shall be recorded continuously by a temperature recording device or recorded twice daily (at times separated by at least 4 hours) from in-place thermometers immersed in liquid and placed on shelves. Temperature readings from walk-in incubators with a continuous temperature reading device shall be supplemented by readings from in-place thermometers placed on various shelves other than where the recorder probe is located.
- e) Date, time, duration, and temperature of autoclaving shall be recorded continuously or recorded for each sterilization cycle. A list of materials sterilized in each cycle shall also be maintained and shall be initialed by the person(s) involved.
- f) Hot air oven(s) shall be equipped with a thermometer registering up to at least 180°C, or with a temperature recording device. The oven thermometer shall be graduated in 10°C increments or less, with the bulb placed in sand during use. Date, time, duration, and temperature shall be recorded for each sterilization cycle. A list of materials sterilized in each cycle shall also be maintained and shall be initialed by the person(s) involved.
- g) Only membrane filters recommended for water analysis by the manufacturer shall be utilized. Manufacturer data sheets containing information as to lot number, ink toxicity, recovery, retention, and absence of growth promoting substances for membrane filters shall be entered into the laboratory's record system. New lot numbers of membrane filters shall be compared with the old membranes using Student's t test. Unacceptable membranes shall be returned to the vendor. Record the lot number and date received for membrane filters. Check the sterility of each lot number of membranes by placing one membrane in 50ml volume of nonselective broth medium.

and checking for growth after 24 hours incubation at 35° + 0.5°C.

h) Washing processes shall provide clean glassware with no stains or spotting. Use distilled or deionized water for final rinse. With initial use of a detergent or washing product and annually thereafter, the rinsing process with distilled or deionized water shall be demonstrated to provide glassware free of toxic material based on the Inhibitory Residue Test as specified in "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, Washington, D.C. 1976, pp. 885-

i) Each A representative piece of each type of glassware or plastic ware from each batch of clean, dried glassware or plastic ware shall be tested for residual alkaline or acid residue using bromthymol blue indicator. If the results of the indicator test are not within the desired color range of dark green to light blue, corrective action shall be taken by re-rinsing, then air drying and retesting.

j) At least one bottle per batch of sterilized sample bottles shall be checked for sterility by adding approximately 25 ml of sterile non-selective broth media to each bottle. The bottle shall be capped and rotated so that the broth comes in contact with all surfaces and shall be incubated at 35° ± 0.5°C for 24 hours prior to checking for growth. Prepared sample bottles from each batch shall not be used unless satisfactory results are obtained from the tested bottle. At least one bottle per batch of sterilized sample bottles prepared with sodium thiosulfate shall be checked for sufficient amount of the dechlorinating reagent by properly collecting a potable sample at the laboratory tap, then checking for residual chlorine. Corrective action shall be taken if there is any residual chlorine, and bottles from the batch checked shall not be used until corrective action has been completed.

l) Current service contracts or in-house protocols shall be maintained on balances, autoclaves, hot-air sterilization ovens, water stills, deionizers, reverse osmosis apparatus, water baths, incubators, etc. Service records on such equipment shall include the date, name of the servicing person, and a description of the service provided. Records shall be available for inspection on all batches of sterilized media showing type of medium, lot numbers, date, sterilization time and temperatures, final pH, and name of the person(s) responsible for all or any part of the recorded data. The final pH of the medium shall be:

m)

Media

pH

M-Endo broth 7.2 + 0.2

M-Endo LES agar

M-Endo LES agar

brilliant green

7.2 + 0.2

Lactose bile broth

6.8 + 0.2

P-A coliform test medium

6.9 + 0.2

plate count agar

7.0 + 0.2

M-FC broth/agar

7.4

Lauvyl tryptose broth

6.8 + 0.2

single strength

6.7 + 0.2

double strength

7.1 + 0.2

Levine's EMB agar

7.4

KF Strep agar

7.3

brain heart infusion

7.2

broth/agar

7.2

Oxgall

7.1

Azide dextrose broth

7.1

PSC agar

7.1

n)

Positive and negative cultures, or a natural water of known pollution, shall be used on each new lot of medium to determine performance compared to a previous acceptable lot of medium. For media which give actual colonies to count, use Student's "t" method of determining acceptability. For all other media check a minimum total of ten tubes each of old and new lot numbers. The results shall differ by no more than 10%.

o)

Lot numbers of membrane filters and date of receipt shall be recorded.

p)

Heat-sensitive tapes or ampules shall be used weekly along with a maximum regenerative thermometer to verify sterility of heat-sensitive tapes or ampules, and maximum regenerative tapes or ampules, and shall include the date, name of the person(s) involved. Use a maximum regenerative thermometer weekly to verify sterilization temperatures within autoclaves and hot-air sterilizing ovens. Use spore strips or ampules on a weekly basis. A record of these results shall be maintained to include the date, material sterilized, and the initials of the analyst involved. Check automatic timing mechanisms on autoclaves quarterly with a stopwatch.

q)

When media dispensing apparatus is used, the media preparer shall check the accuracy of dispensing the dispenser with a graduated

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cylinder at the start of each volume change and periodically throughout extended runs.

- fg) The refrigerator temperature shall be determined daily by an accurate thermometer immersed in liquid and placed on the top shelf and the unit cleaned at least monthly. Outdated materials in the refrigerator and freezer compartments shall be discarded.
- sr) Ultraviolet sterilization lamps shall be tested quarterly by exposing agar spread plates containing 200 to 250 ~~microorganisms~~ microorganisms to the light for two minutes. If such irradiation does not reduce the count of control plates by 99 percent, the lamps shall be replaced. Cleaning of ultraviolet sterilization lamps shall be done at least monthly by disconnecting the unit and cleaning the lamps with a soft cloth moistened with ethanol.
- ts) Water baths shall be cleaned at least monthly. The use of distilled or deionized water for water baths is recommended.
- u) ~~It is recommended that microscopes be covered when not in use, and that lens paper be used to clean optics and stage after every use.~~
- vt) Media shall be used on a first in, first out basis. Records shall be kept of the kind, amount, date received, and date opened for bottles of media. The date opened and the date received shall be written on the bottles. Bottles of media shall be used within 6 months after opening, except that media stored in a desiccator may be used up to one year after opening. It is recommended that media be ordered in quantities to last no longer than one year, and that media be ordered in quarter pound multiples rather than one pound bottles in order to keep the supply sealed and protected as long as possible. Discard any media that has passed the manufacturer's expiration date.
- u) Conductivity meters shall be calibrated monthly with a 0.01 M KCL solution or lower concentration if desired. Calibration is not required for inline conductivity meters.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.360 Data Handling

- a) All records shall be initialed or signed by the person or persons responsible for recording all or any part of the data, or performing the various tests.
- b) Either each unit shall be responsible for maintaining its own records, or all records shall be maintained in a general laboratory log book.

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- c) The laboratory shall record arrival time and date received in the laboratory, time and date of analysis, direct count, membrane filtration verified count, MPM MTF completed count, analyst's name, and other special information on each sample report form.
- d) A careful check shall be made to verify that each result is entered accurately from the bench sheet onto the sample report form. The sample report form shall be initialed or signed by the person who verified the entry of information from the bench sheet.
- e) All forms used in the laboratory for both sample reporting and quality control shall be approved by the certification officer to insure that data is recorded in a format that is easily interpreted and that contains all necessary information.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.365 Record Maintenance

- a) A copy of the sample report form shall be maintained by the laboratory for at least five years. If results are entered into a computer storage system, a printout of the data shall be returned to the laboratory for verification with bench sheets.
- b) Records of bacteriological analyses shall be kept for at least five years. Actual laboratory reports may be kept. However, data may be transferred to tabular summaries which shall include the following information:
- 1) Date, place, and time of sampling;
 - 2) Name of person who collected the sample;
 - 3) Identification of the sample origin, such as routine distribution sample, resample, construction sample, raw or process water sample, surface or ground water sample, or other special purpose sample;
 - 4) Date and time of receipt of sample in the laboratory;
 - 5) Records necessary to establish chain-of-custody of the sample;
 - 6) Date and time of sample analysis;
 - 7) Name of the persons and designation of the laboratory responsible for performing the analysis;
 - 8) Designation of the analytical techniques or methods used; and

c) An analyst is a person holding a high school diploma or its equivalent and having had a minimum of six months of training or experience or both in routine radiochemistry. Analysts shall be under direct supervision and shall perform only routine procedures which require a minimum of independent judgment and can perform the measurement of gross alpha and gross beta radioactivities. Analysts may assist in routine sample preparation and radioanalytical procedures provided that such work is supervised and validated by a senior analyst.

d) An analyst trainee is a person holding a high school diploma or its equivalent. During the period of training, analyst trainees shall work under the direct supervision of a senior analyst or an analyst, but shall not exercise independent judgement.

(Source: Amended at 111. Reg. _____, effective _____)
 Section 183.415 Laboratory Physicist Facilities

The laboratory's physicist facilities shall meet the following specifications:

a) A minimum of 150 square feet of floor space shall be provided for each analyst.

b) A minimum of 15 linear feet of usable bench space shall be provided for each analyst.

c) In areas where radioactive standards are prepared, bench tops shall be of an impervious material which may be covered with disposable absorbent paper, or impervious trays lined with absorbent paper shall be available.

d) The laboratory shall include a sink with hot and cold running water. All water supply outlets shall be protected by approved vacuum breakers.

e) An adequate electrical supply for operation of instruments and mechanical needs shall be provided. The certification officer may require verification from an official inspector or other qualified person that the laboratory meets local and national electrical codes.

f) All electrical outlets shall be properly grounded.

g) Instruments shall be properly grounded with an internal or external regulated power supply available to each instrument.

h) All plumbing shall meet local and state plumbing codes. The certification officer may require verification from an official

9) Results of the analysis.

c) The disposal of all records subject to the Local Records Act (111. Rev. Stat. 1981, ch. 116, pars. 43.101 et seq.) must be in accordance with the provisions of that Act.

(Source: Amended at 111. Reg. _____, effective _____)
 Section 183.370 Action Response to Laboratory Results

For laboratory results concerning samples from public water supplies and their sources, presumptive positive microbiological test results are to be reported to the requesting facility as preliminary without waiting for membrane filtration verification or MPN MIF completion. After membrane filtration verification or MPN MIF completion or both, the adjusted results counts shall be reported. The requesting facility shall be notified when results indicate that nonconformities may have interfered with the total conform analysis.

(Source: Amended at 111. Reg. _____, effective _____)

SUBPART D: RADIOCHEMICAL ANALYSES OF PUBLIC WATER SUPPLY SAMPLES

Section 183.406 Length of Certification for Radiochemical Laboratories

The length of certification for radiochemical laboratories analyzing water from public water supplies and their sources shall be 3 years.

(Source: Added at 111. Reg. _____, effective _____)

Section 183.410 Personnel Requirements

a) The laboratory director shall be a person holding a minimum of a bachelor's degree in natural or physical sciences with at least 24 semester hours in chemistry or microbiology or both, and shall have had a minimum of three years experience in an environmental laboratory. The laboratory director shall be either a full-time employee or a consultant.

b) A senior analyst is a full-time employee holding a minimum of a bachelor's degree in chemistry, radiochemistry, radioisotope technology, or equivalent natural science field and having had at least one year of experience in low-level radiation measurements and in the radiochemical procedures performed by the laboratory. Senior analysts shall be responsible for all radiochemical procedures performed in the laboratory.

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inspector or other qualified person that the laboratory meets such codes.

- i) A natural gas, LP gas, or propane gas supply shall be available.
- j) The laboratory shall include a vacuum source.
- k) A source of distilled water or deionized water or both shall be readily available.
- l) The laboratory shall include at least one fume hood.
- m) Counting instruments shall be located in a room separate from all other analytical activities. The temperature of such room shall be maintained between 60/F (16/C) and 80/F (27/C) and shall not vary under normal operating conditions by more than 3/C.

(Source: Amended at ____ Ill. Reg. _____, effective _____)

Section 183.420 Laboratory Equipment and Instrumentation

~~Only these instruments~~ Instruments that are needed to analyze for the parameters for which the laboratory is being certified ~~are required, but these instruments shall meet the following minimum specifications. A laboratory doing all the analyses described in Section 183.430 shall have, or have access to, all of the equipment listed in this Section with the minimum specifications cited.~~

- a) An analytical balance shall have a precision of ± 0.05 0.1 mg and a scale readability of 0.1 mg.
- b) A pH meter shall have an accuracy of at least ± 0.5 0.1 units and a scale readability of at least ± 0.1 units. The pH meter may be either line/bench or battery/portable operated.
- c) A specific ion meter shall have an accuracy and scale readability of at least ± 0.1 mV, and shall have expanded scale millivolt capability. The specific ion meter may be either line/bench or battery/ portable operated.
- d) A conductivity meter and cell combination, suitable for checking distilled water quality, shall be readable in ohms or mhos, and have a range of up to 2.5 megohms-cm (conductivity down to 0.4 micromhos/cm) ± 1 percent. The conductivity meter may be either line/bench or battery/portable operated.
- e) A drying oven shall be of the gravity convection type. A drying lamp shall be of the infrared type.

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- f) A desiccator shall ~~may~~ be a glass or plastic model, depending upon the particular application.
- g) A hot plate ~~may be a large or small unit and~~ shall have a selectable ~~temperature~~ temperature control for safe heating of laboratory reagents.
- h) Glassware which is used for purposes that may subject it to damage from heat or chemicals shall be of borosilicate glass. All volumetric glassware shall be Class A, denoting that it meets ~~Federal Specifications and need not be calibrated before use~~ federal specifications and is certified by the manufacturer as meeting the standards established by the American Society for Testing and Materials (ASTM).
- i) A muffle furnace shall be automatically controlled with a chamber capacity of at least 2200 cubic centimeters. The maximum operating temperature of the muffle furnace shall be at least 1100/C intermittent and 1000/C continuous.
- j) A centrifuge shall be ~~a table model with maximum~~ capable of attaining a speed of at least 3000 RPM rpm and shall have a loading option of 4 x 50 ml capacity.
- k) A fluorometer shall be capable of detecting 0.0005 micrograms of uranium.
- l) A liquid scintillation system shall ~~have a~~ be such that the sensitivity ~~that of the radioanalysis~~ meets or exceeds the standards specified in ~~40-CFR-141.25(e)-(1982)~~ this Subpart.
- m) A gas-flow proportional counting system shall have a detector of ~~the a "windowless" or "thin window" type.~~ A minimum shielding equivalent to 5 cm of lead shall surround the detector. A cosmic (guard) detector shall be operated in anticoincidence with the main detector. The system shall be such that the sensitivity of the radioanalysis will meet or exceed the standards specified in ~~40-CFR 141.25(e)-(1982)~~ this Subpart.
- n) A low background alpha and beta counting system other than a gas-flow proportional counting system shall have a cosmic guard detector operated in anticoincidence with the signal from the sample detector, and shielding, such that the alpha background will not exceed 0.2 cpm and the beta background will not exceed 2.0 cpm for a 2 inch diameter counting planchet geometry.
- no) A scintillation system designed for alpha counting and used for the measurement of gross alpha activities or radium-226 shall include a Mylar disc coated with a phosphor (silver-activated zinc sulfide)

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Total	Precipitation radium	611- 616	-- 15	13-	A
Cesium-134	Gamma spectrometry or proportional counting	--	636- 640	4-5	A-or-C
Tritium	Liquid scintillation	629-	--	34- 37	E
Uranium	Fluorometry	-- 681	675	--	F

NOTES:

- a- Adopted from 40 CFR 141.25 (1982). All other procedures are considered alternative analytical techniques and may be substituted only if approved in accordance with 40 CFR 141.27 (1982).
- b- A--Low-background proportional system; B--Alpha scintillation system; C--Gamma spectrometer (NaI(Tl) or Ge(Li)); D--Scintillation cell (radon) system; E--Liquid scintillation system; F--Fluorometer.
- c- "Standard Methods for the examination of Water and Wastewater," 13th Edition, American Public Health Association, (New York, New York, 1971).
- d- "1975 Annual Book of ASTM Standards, Water and Atmospheric Analysis," Part 31, American Society for Testing and Materials, Philadelphia, Pennsylvania, (1975).
- e- "Interim Radiochemical Methodology for Drinking Water," EPA-600/4-75-008, Environmental Monitoring and Support Laboratory, Environmental Research Center, Cincinnati, Ohio 45268, (1975).
- f- "Prescribed Procedures for Measurement of Radioactivity in Drinking Water," EPA-600/4-80-032, Environmental Monitoring and Support Laboratory, Office of Research and Development, Cincinnati, Ohio 45268, (1980), pages 49-57 (Method 904.0). Alternatively, "A Procedure for the Determination of a-228 Ra," (1981), by I.B. Brooks and R.L. Blanchard (available from the U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, Office of Research and Development, Cincinnati, Ohio 45269) may be utilized.

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The methods specified in Interim Radiochemical Methodology for Drinking Water, Environmental Monitoring and Support Laboratory, EPA-600-4-75-008, USEPA, Cincinnati, Ohio 45268, or those listed in this subsection are to be used to determine compliance except in cases where alternative methods have been approved in accordance with this Subpart.

- 1) Gross Alpha and Beta - Part 7110 "Gross Alpha and Gross Beta Radioactivity," Standard Methods for the Examination of Water and Wastewater, 17th Edition, American Public Health Association, Washington, D.C., 1989.
- 2) Radium - Part 7500-RaB "Precipitation Method," Standard Methods for the Examination of Water and Wastewater, 17th Edition, American Public Health Association, Washington, D.C., 1989.
- 3) Radium-226 - Part 7500-RaC "Emanation Method," Standard Methods for the Examination of Water and Wastewater, 17th Edition, American Public Health Association, Washington, D.C., 1989.
- 4) Strontium-89, 90 - Part 7500-Sr "Total Radioactive Strontium and Strontium-90 in Water," Standard Methods for the Examination of Water and Wastewater, 17th Edition, American Public Health Association, Washington, D.C., 1989.
- 5) Tritium - Part 7500-3H "Tritium," Standard Methods for the Examination of Water and Wastewater, 17th Edition, American Public Health Association, Washington, D.C., 1989.
- 6) Cesium-134 - Method ASTM D-2459 "Gamma Spectrometry in Water," 1983 Annual book of ASTM Standards, Water and Atmospheric Analysis, Part 31, American Society for Testing and Materials, Philadelphia, PA., 1983.
- 7) Uranium - Method ASTM D-2907 "Micro-quantities of Uranium in Water by Fluorometry," 1983 Annual book of ASTM Standards, Water and Atmospheric Analysis, Part 31, American Society for Testing and Materials, Philadelphia, PA., 1983.

AGENCY NOTE: Copies of these standards can be obtained by either contacting the appropriate entity or by contacting the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois 62704. These standards as published and dated are exclusive of subsequent amendments or editions.

- b) When the identification and measurement of radionuclides other than those listed in Section 183.430 subsection (a) is required, the following references are to be followed, except in cases where alternative analytical techniques methods have been approved in

accordance with 40-GFR-141-27-(1982) this Subpart:

- 1) H. L. Krieger and S. Gold, "Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," EPA-R4-73-014, U.S. Environmental Protection Agency, Cincinnati, Ohio, (May 1973); or
- 2) John H. Harley, ed., "HSL Procedure Manual," USAEG-Report HASL-300, ERDA-Health-and-Safety Environmental Measurement Laboratory, (New York, New York, 1973 1990).

c) For the purpose of monitoring radioactivity concentrations in drinking water, the required sensitivity of the radioanalysis is defined in terms of a detection limit. The detection limit shall be that concentration which can be counted with a precision of ± 100 percent at 2 times the standard deviation of the net counting rate. The standards for detection limits of radioanalyses are as follows:

- 1) To determine compliance with maximum allowable concentration levels for radium-226 and radium-228, systems the detection limit shall not exceed 1 pCi/l.
- 2) To determine the generator-of compliance with maximum allowable concentration levels for gross alpha activity (including radium-226, but excluding radon and uranium) the detection limit shall not exceed 3 pCi/l.
- 3) To determine compliance with maximum allowable concentration levels for beta particle and photon radioactivity from man-made radionuclides the detection limits shall not exceed the following concentrations:

Parameter	Radionuclide	Detection Limit
Tritium		1000 pCi/l
Strontium-89		10 pCi/l
Strontium-90		2 pCi/l
Iodine-131		1 pCi/l
Cesium-134		10 pCi/l
Gross beta		4 pCi/l

Parameter	Radionuclide	Detection Limit
Other radionuclides		1/10 of the applicable limit

AGENCY NOTE:

a. As calculated from "Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure," National Bureau of Standards Handbook 69 as amended August, 1963, U.S. Department of Commerce.

d) To determine compliance with the applicable maximum contaminant levels, averages of data shall be used and shall be rounded to the same number of significant figures as the maximum contaminant level is established for the substance in question.

e) The Agency may, upon written application, approve the use of an alternative analytical technique. An alternative analytical technique shall not be approved unless the Agency determines that the technique is substantially equivalent to the prescribed test both in precision and accuracy as it relates to the determination of compliance with the applicable maximum contaminant level. Such approval shall be in writing and shall not be effective without the concurrence of the Administrator of the U.S. Environmental Protection Agency.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 183.435 Sample Gathering Collection, Handling and Preservation

The following requirements for container types and preservation shall be met for each individual parameter:

Parameter	Preservation	Container
Gross alpha	Conc HCl or HNO ₃ to pH less than 2	P or G
Gross beta	Conc HCl or HNO ₃ to pH less than 2	P or G
Strontium-89	Conc HCl or HNO ₃ to pH less than 2	P or G
Strontium-90	Conc HCl or HNO ₃ to pH less than 2	P or G
Radium-226	Conc HCl or HNO ₃ to pH less than 2	P or G
Radium-228	Conc HCl or HNO ₃ to pH less than 2	P or G

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Parameter	Preservation ^b	Container ^c
Cesium-134	Conc HCl to pH less than 2	P or G
Iodine-131	NONE	P or G
Tritium	NONE	P or G
Uranium	Conc HCl or HNO ₃ to pH less than 2	P or G
Photon emitters	Conc HCl or HNO ₃ to pH less than 2	P or G

AGENCY NOTES:

- If a laboratory has no control over these factors, the laboratory director must reject any samples not meeting these criteria and so notify the authority requesting the analyses.
- Preservative shall be added to the sample at the time of collection, unless suspended solids are to be measured or unless the concentrated acid specified for preservation cannot be added because of shipping restrictions. If it is necessary to ship the sample unpreserved to the laboratory or storage area, acidification may be delayed up to 5 days. After acidification, samples shall be preserved for a minimum of 16 hours before analysis.
- P = Plastic, hard or soft; G = Glass, hard or soft.
- If HCl is used to acidify samples to be analyzed for gross alpha or gross beta activity, the acid salts shall be converted to nitrate salts before transfer of samples to planchets.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.440 Quality Control Assurance

- A written description of the current laboratory quality control assurance program shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place. A record of analytical quality control assurance tests and quality control assurance checks on materials and equipment shall be prepared and retained for 5 at least 3 years.
- A laboratory manual containing complete written instructions for each parameter or method for which the laboratory is certified shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place.

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- The laboratory shall participate at least twice per year in those U.S. Environmental Protection Agency intercomparison cross check studies that include parameters and methods for which the laboratory is or desires to be certified. Analytical results shall be within ~~control limits as specified by the U.S. Environmental Protection Agency 1.67 times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program, Fiscal Year 1981-1982," EPA-600/4-81-004, Table 3, U.S. Environmental Protection Agency, (1982), exclusive of subsequent amendments or editions.~~ Results shall be provided to the Agency within 60 days of receipt of a cross check sample. A copy of this publication is available for public inspection at the Department of Nuclear Safety.
- The laboratory shall participate at least once per year in an appropriate unknown sample performance evaluation study administered by the U.S. Environmental Protection Agency. Analytical results shall be within ~~control limits established by the U.S. Environmental Protection Agency 1.67 times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program, Fiscal Year 1981-1982,"~~ for each parameter or method for which the laboratory is or desires to be certified. Results shall be provided to the Agency within 60 days of receipt of the performance evaluation sample.
- Operating manuals and calibration protocols for counting instruments shall be available to laboratory personnel.
- Calibration data and maintenance records on all radiation instruments shall be maintained in a permanent permanently bound record.
- The following quality control procedures shall be utilized by the laboratory on a daily basis:
 - To verify internal laboratory precision for a specific analysis, 10 percent or more duplicate analyses shall be performed. If the difference between duplicate analyses exceed two times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program FY1977 Fiscal Year 1981-82," EPA-600/4-77-001, 81-004, Table 3, U.S. Environmental Protection Agency, (1977), prior measurements are suspect, calculations and procedures shall be examined, and samples shall be re-analyzed when necessary.
 - When 20 or more specific analyses are performed each day, a performance standard and a background sample shall be measured with each 20 samples. If less than 20 specific analyses are performed each day, a performance standard and a background sample shall be measured along with the samples.

3) Quality control performance charts or records shall be maintained for each instrument.

h) A-current-sevice-contract-shall-be-in-effect-on-all-analytical balances--either-an-estimated-technician-shall-be-avaltable-or-a radation-instrument-

4h) Standardized-Class-S-weights certified by the manufacturer as meeting the requirement's established by the NIST for Class "S" weights shall be available at the laboratory and used to make periodic checks on balances.

4j) Chemicals shall be dated upon receipt of shipment and replaced as needed-or-if-garnter-before shelf life has been exceeded.

4l) The laboratory should prepare and follow a written quality assurance (QA) plan. The following items should be addressed in each QA plan:

1) Sampling procedures:
2) Sample handling procedures which specify procedures used to maintain integrity of all samples, (i.e., tracking samples from receipt by laboratory through analysis to final disposition) and provide for maintaining and documenting the chain of custody of samples identified to the laboratory as likely to be the basis for enforcement actions.

3) Instrument or equipment calibration procedures and frequency of their use:

4) Analytical procedures:

5) Data reduction, validation and reporting including conversion of raw data to final reported results, insuring accuracy of data transcription and calculations, and procedures and format for reporting data to utilities, the Agency, and other state and federal agencies:
6) Types of quality control checks and frequency of their use which may include preparation of calibration curves, instrument calibrations, replicate analyses, use of quality control samples or calibration standards and use of quality control charts:
7) Preventive maintenance procedures and schedules:
8) Specific routine procedures used to determine data precision and accuracy for each contaminant measured. Precision is determined based on the results of replicate analyses. Accuracy is

normally determined by comparison of results with known concentrations in reagent water standards and by analyses of water matrix samples before and after adding a known contaminant spike:
9) Corrective action contingencies, specifying the laboratory's response to obtaining unacceptable results from analysis of performance evaluation samples and from internal quality control checks:
10) Laboratory organization and responsibility including a chart or table showing the laboratory organization and line authority and listing the key individuals who are responsible for ensuring the production of valid measurements and the routine assessment of measurement systems for precision and accuracy (e.g., who is responsible for internal audits and reviews of the implementation of the plan and its requirements).

k) The quality assurance plan may be a separately prepared quality assurance document or may incorporate, by reference, already available standard operation procedures (SOPs) that are approved by the laboratory director and that address the items listed in subsection (j) above. If a particular listed item is not relevant, the quality assurance plan should state this and provide a brief explanation (e.g., some laboratories do not collect samples and thus are not required to describe sampling procedures). A laboratory quality assurance plan should be concise but responsive to the above-listed items. Minimizing paperwork while improving dependability and quality of data are the intended goals.

(Source: Amended at 111. Reg. _____, effective _____)

Section 183.445 Record Maintenance

a) Compliance monitoring activities shall be performed using the analytical methodology specified in Section 183.430(a) or approved in accordance with Section 183.430(e). These activities shall be in accordance with written procedures for sample handling, which provide for establishing and maintaining an accurate written record which documents the possession and handling of samples.

ab) Records of radiochemical analyses shall be kept by the laboratory for at least three years. This includes raw data, calculations, quality control assurance data, and reports. Actual laboratory reports may be kept. However, data, with the exception of the results of testing required by Section 183.440(c) and (d) compliance check samples-as detailed-in-40-CFR-141.334b) may be transferred to tabular summaries which shall include the following information:

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- 1) Date, place, and time of sampling;
- 2) Name of person who collected the sample;
- 3) Identification of the sample origin, such as routine distribution sample, check sample, raw or process water sample, surface or ground water sample, or other special purpose sample;
- 4) Date of receipt of sample;
- 5) Date of sample analysis;
- 6) Name of the persons ~~and designation of the laboratory~~ responsible for performing the analysis;
- 7) Designation of the analytical techniques or methods used; and
- 8) Results of the analysis.

c) Computer programs, designed and developed in-house, shall be verified initially by manual calculations and the calculations shall be available for inspection.

bd) The disposal of all records subject to the Local Records Act (Ill. Rev. Stat. ~~1981~~ 1989, ch. 116, pars. 43.101 et seq.) must be in accordance with the provisions of that Act.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 183.450 Action Response to Laboratory Results

When a laboratory's results indicate that a maximum allowable concentration of any parameter has been exceeded by a public water supply, the person requesting ~~facilitate the analysis~~ shall be notified as soon as possible, but in any event within 48 hours, two business days of the unsatisfactory sample result.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

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Section 183 Appendix A: Methodology and Required Equipment for Inorganic Chemical Analyses of Public Water Supply Samples

PARAMETER	METHODOLOGY (unfiltered sample) ¹	EPA ²	SMB ⁶	USGC	ASTM ⁴	PREFERENCE (METHOD NOS.)	
						OTHER APPROVED METHODS	
Arsenic	Atomic absorption; furnace technique	206.2	--	--	--	--	--
	Atomic absorption; gaseous hydride Spectrophotometric; silver diethyldithiocarbamate	206.3	301-A-VII7A	1-1062-78	02972-788B	1-1062-85 ⁵	
	Inductively Coupled Plasma	206.4	3404-A- or Z 404 B(4)	--	02972-788A	--	
	Inductively Coupled Plasma	200.7A	--	--	--	--	
Asbestos	Transmission electron microscopy	EPA ¹⁴	==	--	--	--	
Barium	Atomic absorption; direct aspiration	208.1	301-A-IV3C	--	--	--	
	Atomic absorption; furnace technique	208.2	304	--	--	--	
	Inductively Coupled Plasma	200.7A	--	--	--	--	
Cadmium	Atomic absorption; direct aspiration	213.1	301-A-II or-III	--	03557-78A or-78B	--	
	Atomic absorption; furnace technique	213.2	304	--	--	--	
	Inductively Coupled Plasma	200.7A	--	--	--	--	
Chromium	Atomic absorption; direct aspiration	218.1	301-A-II or-III	--	01687-77D	--	
	Atomic absorption; furnace technique	218.2	304	--	--	--	
	Inductively Coupled Plasma	200.7A	--	--	--	--	
Lead	Atomic absorption; direct aspiration	239.1	301-A-II or-III	--	01687-77D or-78B	--	
	Atomic absorption; furnace technique	239.2	3113 ¹³	--	03559-85D	--	
	Inductively Coupled Plasma	200.7A	--	--	--	--	
	Inductively Coupled Plasma-mass Spectrometry	200.8	--	--	--	--	
	Atomic Absorption; platform furnace	200.9	--	--	--	--	
Mercury	Manual cold vapor technique	245.1	301-A-VI3F	--	03223-7986	--	
	Automated cold vapor technique	245.2	--	--	--	--	
Nitrate	Bismine colorimetric	352.1	419-D	--	0992-710	--	
	Spectrophotometric; cadmium reduction	353.3	419B-C	--	03867-790B	--	
	Automated hydrazine reduction	353.1	--	--	--	--	
	Automated cadmium reduction	353.2	606418F	--	03867-790A	--	
	Ion Chromatography	300.0	--	--	--	B-1011Z	
	Ion Selective Electrode	==	==	--	--	WeWVG/5880 ⁸	
Nitrite	Spectrophotometric	354.1	--	--	--	--	
	Automated cadmium reduction	353.2	418F	--	03867-90	--	
	Manual cadmium reduction	353.3	418C	--	03867-90	--	
	Ion chromatography	300.0	--	--	--	B-1011Z	
Selenium	Atomic absorption; furnace technique	270.2	304	--	03859-88	--	
	Atomic absorption spectrophotometry; hydride generation	270.3	301-A-VII3E	1-667-78	03859-7984A	1-3667-85 ⁵	
Silver	Atomic absorption; direct aspiration	272.1	3013-A-II or B	--	--	1-3720-84 ⁵	
	Atomic absorption; furnace technique	272.2	304	--	--	--	
	Inductively Coupled Plasma	200.7A	3120B ¹³	--	--	--	
	Inductively Coupled Plasma-Mass Spectrometry	200.8	--	--	--	--	
	Atomic Absorption; platform furnace	200.9	--	--	--	--	

Section 183, Appendix A: Methodology and Required Equipment for Inorganic Chemical Analyses of Public Water Supply Samples

PREFERENCE (METHOD NOS.)
OTHER
APPROVED
METHODS

PARAMETER	METHODOLOGY (unfiltered sample) ML	EPA	SM5	USCC	ASTM ⁵	OTHER APPROVED METHODS	PARAMETER	METHODOLOGY (unfiltered sample) ML	EPA	SM5	USCC	ASTM ⁵	OTHER APPROVED METHODS
Fluoride	Potentiometric ion selective electrode method with preliminary distillation	340.2	413-B	---	---	---	Total dissolved (filterable) residue (filterable)	160.1	2089-B	---	---	---	---
Fluoride (continued)	Automated complexone method (alizarin fluoride blue) Automated electrode method	340.3	60243E	---	---	---	Gravimetric	289.1	201-A-11	---	---	---	---
Alkalinity	Automated titration-titration-titration-pH	310.1	23201A	---	---	---	Chlorinated hydrocarbons-gas-chromatography	609-A	---	---	---	---	02086-19
Calcium	Atomic absorption: direct aspiration	215.1	3011-A-11	---	---	---	Automated hydrazine-N-method	---	---	---	---	---	---
Copper	Atomic absorption: direct aspiration	220.1	201-A-11	---	---	---	Chlorophenyls-gas-chromatograph	609-B	---	---	---	---	D2428-19
Cyanide	Colorimetric with preliminary distillation	335.2	412-0C	---	---	---	Chloroform-and-top	---	---	---	---	---	---
Hydrogen Ion (pH)	Potentiometric measurement	150.1	4500-H13	---	---	---	Gas-chromatography/mass-spectrometry	---	---	---	---	---	---
Iron	Atomic absorption: direct aspiration	236.1	201-A-11	---	---	---	Chloride: potentiometric method	4087-C	---	---	---	---	---
Manganese	Atomic absorption: direct aspiration	243.1	201-A-11	---	---	---	Sulfate: Ion Chromatography	300.0	---	---	---	---	---
Sodium	Atomic absorption: direct aspiration	273.1	---	---	---	---	Chloride: Ion Chromatography	375.4	---	---	---	---	---

Section 183, Appendix A: Methodology and Required Equipment for Inorganic Chemical Analyses of Public Water Supply Samples

PREFERENCE (METHOD NOS.)
OTHER
APPROVED
METHODS

PARAMETER	METHODOLOGY (unfiltered sample) ML	EPA	SM5	USCC	ASTM ⁵	OTHER APPROVED METHODS	PARAMETER	METHODOLOGY (unfiltered sample) ML	EPA	SM5	USCC	ASTM ⁵	OTHER APPROVED METHODS
Fluoride	Potentiometric ion selective electrode method with preliminary distillation	340.2	413-B	---	---	---	Total dissolved (filterable) residue (filterable)	160.1	2089-B	---	---	---	---
Fluoride (continued)	Automated complexone method (alizarin fluoride blue) Automated electrode method	340.3	60243E	---	---	---	Gravimetric	289.1	201-A-11	---	---	---	---
Alkalinity	Automated titration-titration-titration-pH	310.1	23201A	---	---	---	Chlorinated hydrocarbons-gas-chromatography	609-A	---	---	---	---	02086-19
Calcium	Atomic absorption: direct aspiration	215.1	3011-A-11	---	---	---	Automated hydrazine-N-method	---	---	---	---	---	---
Copper	Atomic absorption: direct aspiration	220.1	201-A-11	---	---	---	Chlorophenyls-gas-chromatograph	609-B	---	---	---	---	D2428-19
Cyanide	Colorimetric with preliminary distillation	335.2	412-0C	---	---	---	Chloroform-and-top	---	---	---	---	---	---
Hydrogen Ion (pH)	Potentiometric measurement	150.1	4500-H13	---	---	---	Gas-chromatography/mass-spectrometry	---	---	---	---	---	---
Iron	Atomic absorption: direct aspiration	236.1	201-A-11	---	---	---	Chloride: potentiometric method	4087-C	---	---	---	---	---
Manganese	Atomic absorption: direct aspiration	243.1	201-A-11	---	---	---	Sulfate: Ion Chromatography	300.0	---	---	---	---	---
Sodium	Atomic absorption: direct aspiration	273.1	---	---	---	---	Chloride: Ion Chromatography	375.4	---	---	---	---	---

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Section 183. Appendix A: Methodology and Required Equipment for Inorganic Chemical Analyses of Public Water Supply Samples

NOTES: The Methodology specified in Appendix A refers to the methods, standards and procedures listed below. Copies of these standards are available from the Agency and are exclusive of subsequent amendments or editions.

1. For approved analytical procedures for metals, the technique applicable to total metals must be used.
- a2. "Methods of Chemical Analysis of Water and Wastes," U.S. Environmental Protection Agency, Environmental Monitoring and Support Systems Laboratory, Cincinnati, Ohio 45268 (EPA 600/4-79-020), March 1979 1983. Available from ORD Publications, CERL, USEPA, Cincinnati, Ohio 45268. For approved analytical procedures for metals, the technique applicable to total metals must be used.
- b3. "Standard Methods for the Examination of Water and Wastewater," 14th Edition, American Public Health Association, (Washington, D.C., 1975).
4. Annual Book of ASTM Standards, Part 31 Water, American Society for Testing and Materials, 1978, 1916 Race Street, Philadelphia, Pennsylvania 19103.
- e5. Techniques of Water Resources Investigation of the United States Geological Survey, Chapter A-1, "Methods of for the Determination of Inorganics Substances in Water and Fluoride Fluvial Sediments," Book 5, (1979, Stock #024-001-03177-9). Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.
- d- 1982-Annual-Book-of-ASTM-Standards, Part 31, Water, American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.
- e- "Automated-Electrode-Method," Industrial-Method-#380-75NE, Technicon-Industrial-Systems, Tarrytown, New York, February-1976.
6. "Standard Methods for the Examination of Water and Wastewater," 16th Edition, American Public Health Association, Washington, D.C., 1985.
7. "The Determination of Nitrite and Nitrate in Water Using Single Column Ion Chromatography" Method B-101, Millipore Corporation, Waters Chromatographic Division, 34 Maple Street, Milford, Massachusetts 01754.
8. "Orion Guide to Water and Wastewater Analysis," Form WEMMG/5880, pp.5, 1985, Orion Research, Boston, Massachusetts 02129.

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- f2. "Fluoride in Water and Wastewater," Industrial Method 129-71W, Technicon Industrial Systems, Tarrytown, New York 10591, December 1972.
10. "Fluoride in Water and Wastewater," Technicon Industrial Systems, Tarrytown, New York, 10591, February 1976.
11. "Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments" Techniques of Water Resources Investigations of the United States Geological Survey Books, Chapter A1, 1985, Open-File Report 85-495. Available from Open-File Services Section, Western Distribution Branch, U.S. Geological Survey, MS306 Box 24525, Denver Federal Center, Denver, Colorado, 80225.
- g- Automated-distillation-may-be-substituted--Samples-exceeding-the maximum-allowable-concentration-levels-contained-in-35-III-Adm-Code-604-202-(prior-to-codification-Table-I-of-the-Illinois Pollution-Control-Board-Rules-and-Regulations, Chapter-6;-Public Water-Supply)-must-be-done-by-reference-method.
- h- "Methods-for-Organochlorine-pesticides-and-Chlorophenoxy-Acid Herbicides-in-Drinking-Water-and-Raw-Source-Water," (1978), Available-from-ORD-Publications, CERL, USEPA, Cincinnati, Ohio 45268.
- i- "Gas-Chromatographic-Methods-of-Analysis-of-Organic-Substances-in Water," Techniques-of-Water-Resources-Investigation-of-the-United States-Geological-survey, Chapter-A-3, "Methods-for-Analysis-of Organic-Substances-in-Water," Book-5, 1972, Stock-#2401-1227. Available-from-Superintendent-of-documents, U.S.-Government Printing-Office, Washington, D.C.-20402.
- j- "The-Analysis-of-Trihalomethanes-in-Finished-Water-by-Purge-and Trap-Method," 44-Federal-Register-68672-68682, (November-29, 1979), Available-from-U.S.-Environmental-Protection-Agency, Environmental Monitoring-and-Support-Laboratory, Cincinnati, Ohio-45268.
- k- "The-Analysis-of-Trihalomethanes-in-Drinking-Water-by-Liquid/Liquid Extraction," 44-Federal-Register-68683-68689, (November-12, 1979), Available-from-U.S.-Environmental-Protection-Agency, Environmental Monitoring-and-Support-Laboratory, Cincinnati, Ohio-45268.
- l- "Measurement-of-Trihalomethanes-in-Drinking-Water-by-Gas Chromatography/Mass-spectrometry-and-Selected-Ion-Monitoring," (1982), U.S.-Environmental-Protection-Agency, Environmental Monitoring-and-support-Laboratory, Cincinnati, Ohio-45268.

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NOTICE OF PROPOSED AMENDMENTSection 183, Appendix B: Methodology and Required Equipment for Organic Chemical Analyses of Public Water Supply Samples

PARAMETER	METHODOLOGY	REFERENCE (METHOD NOS.)			
		EPA ¹	SM ²	ASTM ³	OTHER APPROVED METHODS ⁴
Volatile Organic Contaminants Unregulated ¹³	Solvent extraction	504 ¹¹	≡	≡	≡
	Purge and trap, gas chromatography	502.1 ¹¹ 502.2 ¹¹ 503.1 ¹¹	≡	≡	≡
	Gas chromatography/mass spectrometry	524.1 ¹¹ 524.2 ¹¹	≡	≡	≡

(Source: Added at _____ Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTSection 183, Appendix B: Methodology and Required Equipment for Organic Chemical Analyses of Public Water Supply Samples

NOTES: The Methodology specified in Appendix B refers to the methods, standards and procedures listed below. Copies of these standards are available from the Agency and are exclusive of subsequent amendments or editions.

1. "Methods for Organochlorine Pesticides and Chlorophenoxy Acid Herbicides in Drinking Water and Raw Source Water." 1978. Available from ORD Publications, CERI, USEPA, Cincinnati, Ohio 45268.
2. "Standard Methods for the Examination of Water and Wastewater." 14th Edition. American Public Health Association, Washington, D.C., 1975.
3. Annual Book of ASTM Standards, Volume 11.02. American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.
4. U.S. Geological Survey Techniques of Water - Resources Investigations, Chapter A3, "Methods for the Determination of Organic Substances in Water and Fluvial Sediments," Book 5, 1983. Available from: Open-File Service Section, Western Distribution Branch, Box 25425, Federal Center, Denver, Colorado 80225.
5. These analytes may be extracted using Bakers Solid Phase Extraction procedure as referenced in the Nation Wide Approval in 53 Fed. Reg. 5142, February 19, 1988.
6. "The Analysis of Trihalomethanes in Finished Waters by the Purge and Trap Method." Method 501.1, 1979. EMSL, USEPA, Cincinnati, Ohio 45268.
7. "The Analysis of Trihalomethanes in Drinking Waters by Liquid/Liquid Extraction." Method 501.2, 1979. EMSL, USEPA, Cincinnati, Ohio 45268.
8. "Measurement of Trihalomethanes in Drinking Water by Gas Chromatography/ Mass Spectrometry and Selected Ion Monitoring." Method 501.3, 1987. EMSL, USEPA, Cincinnati, Ohio 45268.
9. "Measurement of Purgeable Organic Compounds in Drinking Water by Gas Chromatography/Mass Spectrometry." Method 524, 1983. EMSL, USEPA, Cincinnati, Ohio 45268.
10. 40 CFR 141.30(e)(2).

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11. Methods for The Determination of Organic Compounds in Drinking Water. December, 1988. EMSL, USEPA, Cincinnati, Ohio 45268.
12. Methods 505 and 508 are used as screens only. If detected in 505 or 508, systems must confirm using Method 508A.
13. The complete list of unregulated volatile organic chemicals can be found in 40 CFR 141.40.
(Source: Added at _____ 111. Reg. _____, effective _____)

- 1) Heading of the Part: Wholesale Drug Distribution Licensing Act
- 2) Code Citation: 68 Ill. Adm. Code 1510
- 3) Section Numbers: Proposed Action:
1510.10 New Section
1510.20 New Section
1510.30 New Section
1510.40 New Section
1510.50 New Section
1510.60 New Section
1510.70 New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, par. 8301-40.
- 5) A Complete Description of the Subjects and Issues Involved:
This rulemaking sets detailed standards and procedures for obtaining an Illinois license as a wholesale drug distributor.
Section 1510.20 details the application process.
Section 1510.30 sets requirements for employees of licensed wholesale drug distributors.
Minimum requirements for the storage and handling of prescription drugs and for the establishment and maintenance of prescription drug distribution records are set forth in Section 1510.50.
Other Sections cover the Department's authority to suspend, revoke or take other disciplinary action against any license granted under this Part; give procedures for renewing a license; and describe circumstances under which the Director of the Department may grant variances from these rules
- 6) Will these proposed amendments replace an emergency Rule currently in effect?
Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed Rules pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable):
This rulemaking has no impact on local governments.

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DEPARTMENT OF PROFESSIONAL REGULATION
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11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 21, 1992.

B) Types of small businesses affected: This rulemaking applies to any person, partnership, corporation or business firm engaging in the wholesale distribution of human drugs within the State of Illinois.

C) Reporting, bookkeeping or other procedures required for compliance:

Those seeking licensure must file an application with the Department of Professional Regulation. Licenses may be renewed every two years. Changes in the name or location of a drug distribution facility must be reported to the Department as changes occur.

D) Types of professional skills necessary for compliance:

In determining eligibility for licensure of persons who engage in the wholesale distribution of prescription drugs, one of the factors considered by the Department is the applicant's past experience in the manufacture or distribution of prescription drugs, including controlled substances.

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

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1510
WHOLESALE DRUG DISTRIBUTION LICENSING ACT

Section	
1510.10	Definitions
1510.20	Application for Licensure
1510.30	Personnel
1510.40	Violations and Penalties
1510.50	Minimum Requirements for the Storage and Handling of Prescription Drugs and for the Establishment and Maintenance of Prescription Drug Distribution Records
1510.60	Renewals
1510.70	Granting Variances

AUTHORITY: Implementing the Wholesale Drug Distribution Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 8301-1 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)).

SOURCE: Emergency rules adopted at 16 Ill. Reg. 12216, effective for a maximum of 150 days; adopted at 16 Ill. Reg. _____, effective _____.

Section 1510.10 Definitions

"Act" means the Wholesale Drug Distribution Licensing Act (Ill. Rev. Stat. 1991, ch. 111, Par. 8301-1 et seq.).

"Blood" means whole blood collected from a single donor and processed either for transfusion or further manufacturing.

"Blood component" means that part of blood separated by physical or mechanical means.

"Board" means the State Board of Pharmacy.

"Department" means the Department of Professional Regulation.

"Director" means the Director of the Department of Professional Regulation.

"Drug sample" means a unit of a prescription drug that is not intended to be sold and is intended to promote the sale of the drug.

"Manufacturer" means anyone who is engaged in manufacturing, preparing, propagating, compounding, processing, packaging, repackaging or labeling of a prescription drug.

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The sale of prescription drugs by a pharmacy to practitioners (i.e., licensed physicians, dentists, veterinarians or podiatrists), providing the sales do not exceed 5% of the annual purchases of these drugs by the pharmacy and providing the pharmacy maintains a log of sales to practitioners that includes:

- Date of sale;
- Practitioner's name and address;
- Drug and strength;
- Size of package; and
- Quantity sold.

"Wholesale distributor" means anyone engaged in wholesale distribution of prescription drugs, including but not limited to, manufacturers, repackers, own-label distributors, private-label distributors, jobbers, warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses, and wholesale drug warehouses; independent wholesale drug traders; and retail pharmacies that conduct wholesale distributions.

Section 1510.20 Application for License

Every wholesale distributor, wherever located, who engages in wholesale distribution into, out of, or within, Illinois shall be licensed by the Department in accordance with the Act and this Part before engaging in wholesale distribution of prescription drugs.

a) The applicant for a license as a wholesale drug distributor shall file with the Department an application which includes the following:

- 1) The name, full business address and telephone number of the applicant;
- 2) All trade or business names used by the applicant;
- 3) Addresses, telephone numbers and the names of contact persons at all facilities used by the applicant for the storage, handling and distribution of prescription drugs;
- 4) The type of ownership or operation (i.e., partnership, corporation or sole proprietorship). If a corporation, a copy of the Articles of Incorporation; and
- 5) The name(s) of the owner and/or operator of the entity, including:
 - A) The name of the person, if a person;

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"Prescription drug" means any human drug required by Federal law or regulation to be dispensed only by a prescription, including finished dosage forms and active ingredients subject to Section 503(b) of the Federal Food, Drug and Cosmetic Act. [21 U.S.C. 301 et seq. (1976)]

"Wholesale distribution" or "wholesale distributions" means distribution of prescription drugs to a person other than a consumer or patient, but does not include:

Intracompany sales, defined as any transaction or transfer between any division, subsidiary, parent and/or affiliated or related company under the common ownership and control of a corporate entity;

The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization or a drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of such organizations;

The sale, purchase or trade of a drug or an offer to sell, purchase or trade a drug by a charitable organization described in Section 501(c)(3) of the Internal Revenue Code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

The sale, purchase or trade of a drug or an offer to sell, purchase or trade a drug among hospitals or other health care entities that are under common control; for purposes of this section, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, by contract, or otherwise;

The sale, purchase or trade of a drug or an offer to sell, purchase or trade a drug for emergency medical reasons; for purposes of this section "emergency medical reasons" includes transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage;

The sale, purchase or trade of a drug; an offer to sell, purchase or trade a drug; or the dispensing of a drug pursuant to a prescription;

The lawful distribution of drug samples by manufacturers' representatives or distributors' representatives; or

The sale, purchase or trade of blood and blood components intended for transfusion.

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- B) The name of each partner and the name of the partnership, if a partnership;
 - C) The name and title of each corporate officer and director, the corporate names, the name of the state where incorporated and the name of the parent company, if any, if a corporation;
 - D) The full name of the sole proprietor and the name of the business entity, if a sole proprietorship.
- 6) The fee set forth in Section 35 of the Act.
- b) The Department shall consider the following factors in determining eligibility for licensure of persons who engage in the wholesale distribution of prescription drugs:
- 1) Any conviction of the applicant under any federal, state or local laws relating to drug samples, wholesale or retail drug distribution, or distribution of controlled substances;
 - 2) Any felony conviction of the applicant under federal, state or local laws;
 - 3) The applicant's past experience in the manufacture or distribution of prescription drugs, including controlled substances;
 - 4) The furnishing by the applicant of false or fraudulent material in any application made in connection with drug manufacturing or distribution;
 - 5) Suspension or revocation by federal, state or local government of any license currently or previously held by the applicant for the manufacture or distribution of any drugs, including controlled substances;
 - 6) Compliance with licensing requirements under previously granted licenses, if any;
 - 7) Compliance with the requirements to maintain and/or make available to the state licensing authority or to federal, state or local law enforcement officials those records required to be maintained by wholesale drug distributors; and
 - 8) Any other factors or qualifications the Department considers relevant to and consistent with public health and safety.

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- c) A separate license is required for each facility directly or indirectly owned or operated by the same business that distributes prescription drugs.
- d) When the address or name of a facility is changed, the licensee shall be required to apply for a new license and pay a \$100 fee. If the facility is relocated, the licensee shall also cause the facility to pass an inspection, meeting all requirements of the Act and this Section.
- e) Changes in any information in this Section shall be submitted to the Department within 45 days after such change.
- f) The Department reserves the right to deny a license to an applicant if it determines that the granting of such a license would not be in the public interest.
- g) The applicant shall retain on premises a copy of the application and check to the Department to serve as a temporary license prior to the issuance of a certificate of registration as a Wholesale Drug Distributor. This is valid for 90 days.

Section 1510.30 Personnel

The licensed wholesale distributor shall employ personnel with the education, training and experience necessary to safely and lawfully engage in the wholesale distribution of drugs. As a condition for receiving and retaining a wholesale drug distributor license, the licensee shall require each person employed in any prescription drug wholesale distribution activity to have education, training and experience, or any combination thereof, sufficient for that person to perform the assigned functions in such a manner as to provide assurance that the drug product quality, safety and security will at all times be maintained as required by law.

Section 1510.40 Violations and Penalties

- a) The Department shall have the authority to suspend, revoke or take other disciplinary action against any licenses granted under this Part upon conviction of violations of federal, state or local drug laws or regulations, and may impose fines or civil penalties not to exceed \$1000 for each violation of this Part. Before any license may be suspended or revoked, or fines or civil penalties provided for herein may be imposed, a wholesale distributor shall have a right to prior notice and a hearing pursuant to 68 Ill. Adm. Code 1110.
- b) The Department may suspend or revoke any license granted under this Part for willful and serious violations of this Part.

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(c) Storage. All prescription drugs shall be stored at appropriate temperatures and under appropriate conditions in accordance with requirements, if any, in the labeling of such drugs, or with requirements in the current edition of an official compendium.

(1) If no storage requirements are established for a prescription drug, the drug may be held at "controlled" room temperature, as defined in an official compendium, to help ensure that its identity, strength, quality and purity are not adversely affected.

(2) Appropriate manual, electromechanical, or electronic temperature and humidity recording equipment, devices and/or logs shall be utilized to document proper storage of prescription drugs.

(3) The recordkeeping requirements in subsection (f) of this Section shall be followed for all stored drugs.

(d) Examination of materials.

(1) Upon receipt, each outside shipping container shall be visually examined to identify the product and to prevent the acceptance of contaminated prescription drugs or prescription drugs that are otherwise unfit for distribution. This examination shall be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.

(2) Each outgoing shipment shall be carefully inspected to identify the prescription drug products and to ensure that there is no delivery of prescription drugs that have been damaged in storage or held under improper conditions.

(3) The recordkeeping requirements in paragraph (f) of this Section shall be followed for all incoming and outgoing prescription drugs.

(e) Returned, damaged and outdated prescription drugs.

(1) Prescription drugs that are outdated, damaged, deteriorated, misbranded or adulterated shall be quarantined and physically separated from other prescription drugs until they are destroyed or returned to their supplier.

(2) Any prescription drugs whose immediate or sealed outer or sealed secondary containers have been opened or used shall be identified as such, and shall be quarantined and separated from other prescription drugs until they are either destroyed or returned to the supplier.

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Section 1510.50 Minimum Requirements for the Storage and Handling of Prescription Drugs and for the Establishment and Maintenance of Prescription Drug Distribution Records.

The following are minimum requirements for the storage and handling of prescription drugs, and for the establishment and maintenance of prescription drug distribution records, by wholesale drug distributors and their officers, agents, representatives and employees:

(a) Facilities. All facilities at which prescription drugs are stored, warehoused, handled, held, offered, marketed or displayed shall:

(1) Be of suitable size and construction to facilitate cleaning, maintenance and proper operations;

(2) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment and security conditions;

(3) Have a quarantine area for storage of prescription drugs that are outdated, damaged, deteriorated, misbranded or adulterated, or that are in immediate or sealed secondary containers that have been opened;

(4) Be maintained in a clean and orderly condition; and

(5) Be free from infestation by insects, rodents, birds or vermin of any kind.

(b) Security. All facilities used for wholesale drug distribution shall:

(1) Be secure from unauthorized entry;

(A) Access from outside the premises shall be kept to a minimum and be well-controlled.

(B) The outside perimeter of the premises shall be well-lighted.

(C) Entry into areas where prescription drugs are held shall be limited to authorized personnel.

(2) Be equipped with an alarm system to detect entry after hours; and

(3) Be equipped with a security system that will provide suitable protection against theft and diversion. When appropriate, the security system shall provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

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- 3) If the conditions under which a prescription drug has been returned cast doubt on the drug's safety, identity, strength, quality or purity, then the drug shall be destroyed or returned to the supplier unless examination, testing or other investigation proves that the drug meets appropriate standards of safety, identity, strength, quality and purity. In determining whether the conditions under which a drug has been returned cast doubt on the drug's safety, identity, strength, quality or purity, the wholesale drug distributor shall consider, among other things, the conditions under which the drug has been held, stored or shipped before or during its return and the condition of the drug and its container, carton or labeling, as a result of storage or shipping.
 - 4) The recordkeeping requirements in subsection (f) of this Section shall be followed for all outdated, damaged, deteriorated, misbranded or adulterated prescription drugs.
- f) Recordkeeping.
- 1) Wholesale drug distributors shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of prescription drugs. These records shall include the following information:
 - A) The source of the drugs, including the name and principal address of the seller or transferor, and address of the location from which the drugs were shipped;
 - B) The identity and quantity of the drugs received and distributed or disposed of; and
 - C) The dates of receipt and distribution or other disposition of the drugs.
 - 2) Inventories and records shall be made available for inspection and photocopying by drug compliance investigators or any authorized official of any governmental agency charged with enforcement of this Part for a period of 2 years following disposition of the drugs.
 - 3) Records described in this Section that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically retrievable shall be made available for inspection within 2 working days of a request by an authorized official of any federal, state and local agencies charged with enforcement of this Part.

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- g) Written policies and procedures. Wholesale drug distributors shall establish, maintain and adhere to written policies and procedures, which shall be followed for the receipt, security, storage, inventory and distribution of prescription drugs, including policies and procedures for identifying, recording and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. Wholesale drug distributors shall include in their written policies and procedures the following:
 - 1) A procedure whereby the oldest approved stock of a prescription drug product is distributed first. The procedure may permit deviation from this requirement if such deviation is temporary and appropriate.
 - 2) A procedure to be followed for handling recalls and withdrawals of prescription drugs. Such procedure shall be adequate to deal with recalls and withdrawals due to:
 - A) Any action initiated at the request of the Food and Drug Administration or other federal, state or local law enforcement or other government agency, including the Department;
 - B) Any voluntary action by the manufacturer to remove defective or potentially defective drugs from the market; or
 - C) Any action undertaken to promote public health and safety by replacing of existing merchandise with an improved product or new package design.
 - 3) A procedure to ensure that wholesale drug distributors prepare for, protect against and handle any crisis that affects security or operation of any facility in the event of strike, fire, flood or other natural disaster or other situations of local, State or national emergency.
 - 4) A procedure to ensure that any outdated prescription drugs shall be segregated from other drugs and either returned to the manufacturer or destroyed. This procedure shall provide for written documentation of the disposition of outdated prescription drugs. This documentation shall be maintained for 2 years after disposition of the outdated drugs.
- h) Responsible persons. Wholesale drug distributors shall establish and maintain lists of officers, directors, managers and other persons in charge of wholesale drug distribution, storage and handling, including a description of their duties and a summary of their qualifications.
- i) Compliance with federal, state, and local laws. Wholesale drug distributors shall operate in compliance with applicable federal, state and local laws and regulations.

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<u>Sections</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.421	Amendment	May 15, 1992 (16 Ill. Reg. 7576)
140.421	Amendment	June 26, 1992 (16 Ill. Reg. 10145)
140.526	Repealed	January 10, 1992 (16 Ill. Reg. 472)
140.526	Amendment	June 19, 1992 (16 Ill. Reg. 9393)
140.527	Repealed	January 10, 1992 (16 Ill. Reg. 472)
140.527	Amendment	June 19, 1992 (16 Ill. Reg. 9393)
140.528	Repealed	January 10, 1992 (16 Ill. Reg. 472)
140.528	Amendment	June 19, 1992 (16 Ill. Reg. 9393)
140.529	Repealed	January 10, 1992 (16 Ill. Reg. 472)
140.529	Amendment	June 19, 1992 (16 Ill. Reg. 9393)
140.543	Amendment	February 28, 1992 (16 Ill. Reg. 3045)
140.565	Amendment	January 24, 1992 (16 Ill. Reg. 1492)
140.566	New Section	March 27, 1992 (16 Ill. Reg. 4708)
140.579	Amendment	March 6, 1992 (16 Ill. Reg. 3409)
140.600	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.602	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.604	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.608	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.610	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.612	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.614	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.700	Amendment	May 15, 1992 (16 Ill. Reg. 7576)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Joanne Jones, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 15, 1992
- B) Types of small businesses affected: Providers of Medical Assistance Services
- C) Reporting, bookkeeping or other procedures required for compliance: None

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D) Types of professional skills necessary for compliance: None

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

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140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)

140.22 Magnetic Tape Billings

140.23 Payment of Claims

140.24 Payment Procedures

140.25 Overpayment or Underpayment of Claims

140.26 Payment to Factors Prohibited

140.27 Assignment of Vendor Payments

140.28 Record Requirements for Medical Providers

140.30 Audits

140.31 Emergency Services Audits

140.35 False Reporting and Other Fraudulent Activities

140.40 Prior Approval for Medical Services or Items

140.41 Prior Approval in Cases of Emergency

140.42 Limitation on Prior Approval

140.43 Post Approval for Items or Services When Prior Approval Cannot Be Obtained

140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments

140.72 Drug Manual (Recodified)

140.73 Drug Manual Updates (Recodified)

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140.95 Hospital Services Trust Fund

140.96 General Requirements (Recodified)

140.97 Special Requirements (Recodified)

140.98 Covered Hospital Services (Recodified)

140.99 Hospital Services Not Covered (Recodified)

140.100 Limitation On Hospital Services (Recodified)

140.101 Transplants (Recodified)

140.102 Heart Transplants (Recodified)

140.103 Liver Transplants (Recodified)

140.104 Bone Marrow Transplants (Recodified)

140.110 Disproportionate Share Hospital Adjustments (Recodified)

140.116 Payment for Inpatient Services for GA (Recodified)

140.117 Hospital Outpatient and Clinic Services (Recodified)

140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)

140.201 Payment for Hospital Services After June 30, 1982 (Repealed)

140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)

140.203 Limits on Length of Stay by Diagnosis (Recodified)

140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)

140.350 Copayments (Recodified)

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Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)

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amended at 9 111. Reg. 10025, effective June 26, 1985; emergency amendment at 9 111. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 111. Reg. 11357, effective June 28, 1985; amended at 9 111. Reg. 12000, effective July 24, 1985; amended at 9 111. Reg. 12306, effective August 5, 1985; amended at 9 111. Reg. 13998, effective September 3, 1985; amended at 9 111. Reg. 14684, effective September 13, 1985; amended at 9 111. Reg. 15503, effective October 4, 1985; amended at 9 111. Reg. 16312, effective October 11, 1985; amended at 9 111. Reg. 19138, effective December 2, 1985; amended at 9 111. Reg. 19737, effective December 9, 1985; amended at 10 111. Reg. 238, effective December 27, 1985; emergency amendment at 10 111. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 111. Reg. 672, effective January 6, 1986; amended at 10 111. Reg. 1206, effective January 13, 1986; amended at 10 111. Reg. 3041, effective January 24, 1986; amended at 10 111. Reg. 6981, effective April 16, 1986; amended at 10 111. Reg. 7825, effective April 30, 1986; amended at 10 111. Reg. 8128, effective May 7, 1986; emergency amendment at 10 111. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 111. Reg. 11440, effective June 20, 1986; amended at 10 111. Reg. 14714, effective August 27, 1986; amended at 10 111. Reg. 15211, effective September 12, 1986; emergency amendment at 10 111. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 111. Reg. 18808, effective October 24, 1986; amended at 10 111. Reg. 19742, effective November 12, 1986; amended at 10 111. Reg. 21784, effective December 15, 1986; amended at 11 111. Reg. 698, effective December 19, 1986; amended at 11 111. Reg. 1418, effective December 31, 1986; amended at 11 111. Reg. 2323, effective January 16, 1987; amended at 11 111. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 111. Adm. Code 141 at 11 111. Reg. 4302; amended at 11 111. Reg. 4303, effective March 6, 1987; amended at 11 111. Reg. 7664, effective April 15, 1987; emergency amendment at 11 111. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 111. Reg. 9169, effective April 28, 1987; amended at 11 111. Reg. 10903, effective June 1, 1987; amended at 11 111. Reg. 11528, effective June 22, 1987; amended at 11 111. Reg. 12011, effective June 30, 1987; amended at 11 111. Reg. 12290, effective July 6, 1987; amended at 11 111. Reg. 14048, effective August 14, 1987; amended at 11 111. Reg. 14771, effective August 25, 1987; amended at 11 111. Reg. 16758, effective September 28, 1987; amended at 11 111. Reg. 17295, effective September 30, 1987; amended at 11 111. Reg. 18696, effective October 27, 1987; amended at 11 111. Reg. 20909, effective December 14, 1987; amended at 12 111. Reg. 916, effective January 1, 1988; emergency amendment at 12 111. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 111. Reg. 5427, effective March 15, 1988; amended at 12 111. Reg. 6246, effective March 16, 1988; amended at 12 111. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140. Table H and 140. Table I recodified to 89 111. Adm. Code 147.5 thru 147.205 and 147. Table A and 147. Table B at 12 111. Reg. 6956; amended at 12 111. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 111. Adm. Code 149.5 thru 149.325 at 12 111. Reg. 7401; amended at 12 111. Reg. 7695, effective April 21, 1988; amended at 12 111. Reg. 10497, effective

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140. TABLE K Services Qualifying for 10% Add-On
 140. TABLE L Services Qualifying for 10% Add-On to Surgical Incentive Add-On

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (111. Rev. Stat. 19891991, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles II, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (111. Rev. Stat. 19891991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 111. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 111. Reg. 8374, effective July 6, 1982; of 150 days; amended at 7 111. Reg. 681, effective December 30, 1982; amended at 7 111. Reg. 7956, effective July 1, 1983; amended at 7 111. Reg. 8308, effective July 1, 1983; amended at 7 111. Reg. 8271, effective July 5, 1983; emergency amendment at 7 111. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 111. Reg. 8540, effective July 15, 1983; amended at 7 111. Reg. 9382, effective July 22, 1983; amended at 7 111. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 111. Reg. 15047, effective October 31, 1983; amended at 7 111. Reg. 17358, effective December 21, 1983; amended at 8 111. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 111. Reg. 2483; amended at 8 111. Reg. 3012, effective February 22, 1984; amended at 8 111. Reg. 5262, effective April 9, 1984; amended at 8 111. Reg. 6785, effective April 27, 1984; amended at 8 111. Reg. 6983, effective May 9, 1984; amended at 8 111. Reg. 7258, effective May 16, 1984; emergency amendment at 8 111. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 111. Reg. 7910, effective June 1, 1984; amended at 8 111. Reg. 10032, effective June 18, 1984; emergency amendment at 8 111. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 111. Reg. 13343, effective July 17, 1984; amended at 8 111. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 111. Adm. Code 141 at 8 111. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 111. Reg. 17899; peremptory amendment at 8 111. Reg. 18151, effective September 18, 1984; amended at 8 111. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 111. Reg. 21677, effective October 24, 1984; amended at 8 111. Reg. 22097, effective October 29, 1984; peremptory amendment at 8 111. Reg. 22155, effective October 29, 1984; amended at 8 111. Reg. 23218, effective November 20, 1984; emergency amendment at 8 111. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 111. Reg. 25067, effective December 19, 1984; emergency amendment at 9 111. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 111. Reg. 2697, effective February 22, 1985; amended at 9 111. Reg. 6235, effective April 19, 1985; amended at 9 111. Reg. 8677, effective May 28, 1985; amended at 9 111. Reg. 9564, effective June 5, 1985; amended at 9 111. Reg. 10025, effective June 26, 1985; emergency amendment at

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June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective

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October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section 140.12 Participation Requirements for Medical Providers

The provider shall agree to:

- a) Verify eligibility of recipients prior to providing each service by checking
 - 1) the Medical Eligibility Card, or
 - 2) the Certificate for Interim Medical Care - Emergency Services, which a recipient may present prior to his receipt of a regular Medical Eligibility Card;

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ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: Regulations for Meetings
- 2) Code Citation 11 Ill. Adm. Code 1424
- 3) Section Number: 1424.170 Adopted Action: Amendment
1424.175 Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 8, par 37-9(b)
- 5) A complete description of the subjects and issues involved: The amendment of Section 1424.170 and the repeal of Section 1424.175 combine emergency medical services and personnel to be provided at all Illinois racetracks during live racing and training hours.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No.
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

All comments should be submitted in writing, within 30 days of this notice, to:

Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 16, 1992
- B) Types of small business affected: None.

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance:
Professional skill necessary to perform the duties as required in these amendments are currently required by existing Illinois Racing Board rules (11 Ill. Adm. Code 1424.170 and 1424.175).

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD
NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. ch. 8, par. 37-9(b)).

SOURCE: Published in Rules and Regulations of Horse Racing (original date not cited in publication); added October 25, 1973, filed November 26, 1973; added August 8, 1973; amended February 15, 1974, filed February 28, 1974; amended April 11, 1974, filed April 30, 1974; amended July 12, 1974, filed July 22, 1974; amended October 25, 1974, filed November 7, 1974; amended March 14, 1975, filed and effective March 27, 1975; amended May 9, 1975, filed May 15, 1975; amended June 19, 1976, filed June 25, 1976; amended December 9, 1977, filed December 29, 1977; amended at 4 Ill. Reg. 41, p. 164, effective September 26, 1980; codified at 5 Ill. Reg. 10996; amended at 8 Ill. Reg. 12460, effective June 27, 1984; amended at 9 Ill. Reg. 9166, effective May 30, 1985; amended at 14 Ill. Reg. 20545, effective December 7, 1990; amended at 16 Ill. Reg. 11193, effective June 25, 1992; amended at 16 Ill. Reg. _____, effective _____.

effective

Section 1424.170 Emergency Medical Services

All rules pertaining to the safety of racetrack participants and patrons during hours of live racing the organization shall provide two ambulances, equipped to provide advanced life support/mobile intensive care as defined in the Illinois Emergency Medical Services Systems Act (Ill. Rev. Stat. 1989, ch. 111, pars. 5501 et seq.), manned by two emergency medical technicians-paramedics as defined in the same Act.
b) During exercise/training periods, the organization shall provide one ambulance manned by two EMT-Paramedics and equipped to provide advanced life support/mobile intensive care.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD
NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER 9: RULES AND REGULATIONS OF HORSE RACING

(THOROUGHBRED)

PART 1424

REGULATIONS FOR MEETINGS

Section 1424.10 Illinois Racing Board Right of Entry

1424.20 Office for Racing Board

1424.25 Moving Offices (Repealed)

1424.40 Inspections and Searches

1424.45 Investigative Authority

1424.50 Allocation of Stalls

1424.55 AGID (Coglins) Test

1424.60 Distance Poles

1424.70 Arrivals, Departures and Stabling

1424.80 Departure Slips

1424.90 Horse Ambulance

1424.100 Races Per Day (Repealed)

1424.110 Extra Races

1424.120 Clockers

1424.125 Outriders

1424.140 Safety Rails

1424.150 Backstretch PAGING System

1424.160 Camera

1424.170 Emergency Medical Services

1424.175 Manned Ambulance (Repealed)

1424.180 Policing of Premises

1424.190 Stable Area Security

1424.200 Stable Area Security

1424.210 Security Reports

1424.220 Night Patrol

1424.230 Telephones

1424.240 Calls Through Switchboard (Repealed)

1424.250 Races for Illinois Horses

1424.260 Breeder Awards

1424.270 Admission to Parts of Premises

1424.280 Stable Areas Fenced

1424.290 Merchandise Selling

1424.300 Tip Sheets

1424.310 Alcoholic Beverages

1424.320 Jockey Quarters

1424.330 Water Supply and Washrooms

1424.340 Drug Vendors

1424.350 Seven Day Rule

1424.353 Penalty for Violation of Rules

1424.355 Stall Availability Prior to Meet

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 1424.175 Manned Ambulance (Repealed)

Operators shall furnish a manned ambulance each day that their main tracks may be opened for racing or exercising horses, equipped, ready for immediate duty, and to be placed at the entrance to the racing strip, which is at no time obstructed by people, vehicles, or equipment, so that no time may be lost in times of emergency. All operators shall furnish said ambulance service from its race track to the nearest hospital on any day that the operator is racing or allowing horses to exercise.

(Source: Repealed at 16 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Issuance of Licenses
 - 2) Code Citation: 92 Ill. Adm. Code 1030
 - 3) Section Numbers:

1030.120	Amendment
1030.130	Amendment
 - 4) Statutory Authority: Section 2-104 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 2-104) and 6-113(c) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 6-113(c)).
 - 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking amends the provisions for the issuance and cancellation of a probationary license.
 - 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 proposed rulemaking contain incorporations by reference? No.
 - 9) Are there any other amendments pending on this part? Yes.
- | <u>Section Number</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u> |
|-----------------------|------------------------|--------------------------------------|
| 1030.11 | Amendment | 16 Ill. Reg. 1271 (January 17, 1992) |
| 1030.84 | Amendment | 15 Ill. Reg. 14198 (October 4, 1991) |
- 10) Statement of Statewide Policy Objective: This rulemaking will have no effect on local units of government.
 - 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Nancy G. Easum
Deputy General Counsel
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-6250

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER II: SECRETARY OF STATE

PART 1030

ISSUANCE OF LICENSES

Section 1030.10 What Persons Shall Not be Licensed or Granted Permits

1030.11 Procedure for Obtaining a Driver's License

1030.15 Cite for Re-examination

1030.20 Classification of Drivers-References

1030.30 Classification Standards

1030.40 Fifth Wheel Equipped Trucks

1030.50 Bus Driver's Authority, Religious Organization and Senior Citizen Transportation

1030.55 Commuter Van Driver Operating a For-Profit Ridesharing Arrangement

1030.60 Third-Party Certification Program

1030.63 Religious Exemption for Social Security Numbers

1030.65 Instruction Permits

1030.70 Driver's License Testing/Vision Screening

1030.75 Driver's License Testing/Vision Screening With Vision Aid

1030.80 Arrangements Other Than Standard Eye Glasses or Contact Lens(es)

1030.81 Endorsements

1030.84 Vehicle Inspection

1030.85 Driver's License Testing/Road Test

1030.86 Multiple Attempts/Road Test

1030.88 Exemption of Facility Administered Road Test

1030.89 Temporary Licenses

1030.90 Requirement For Photograph and Signature of Licensee on Driver's License

1030.91 Disabled Person/Handicapped Identification Card

1030.92 Restrictions

1030.93 Restricted Local Licenses

1030.94 Duplicate or Corrected Driver's License or Instruction Permit

1030.95 Diplomatic and Consular Licenses

1030.100 Anatomical Gift Donor

1030.110 Emergency Medical Information Card

1030.115 Change-of-Address

1030.120 Issuance of a Probationary License

1030.130 Grounds for Cancellation of a Probationary License

Appendix A Questions Asked of a Driver's License Applicant

Appendix B Acceptable Identification Documents

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of

the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-100 et

seq.) and authorized by Section 2-104 of the Illinois Vehicle Title and

Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95

1/2, par. 2-104) and Section 6-113(c) of the Illinois Driver Licensing Law of

the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 6-113(c)).

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NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis: After careful consideration,

the Secretary of State does not feel this proposed rulemaking will

affect any types of small businesses and the proposed rule has not been

submitted to the Small Business Office of the Department of Commerce and

Community Affairs.

The full text of the proposed rule begins on the next page.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; amended at 16 Ill. Reg. _____, effective _____.

Section 1030.120 Issuance of a Probationary License

a) Definitions.

For the purpose of this Section, the following terms shall have these meanings:

- 1) "Probationary License" shall mean - a special restricted license granting full driving privileges during a period of suspension; the license is issued in conjunction with a driver improvement program upon successful completion of a driver improvement course.
- 2) "Driver Improvement Program Course" shall mean - an organized remedial activity directed and approved by the Driver Services Department for improving the driving habits of certain suspended drivers. The program shall be available to a driver at no additional fee. This program which course shall consist of individual counseling and/or group sessions of instruction and shall not exceed two sessions or a total of nine hours of instruction.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

- 3) "Cleared Miscellaneous Suspensions" - suspensions for safety responsibility, financial responsibility, unsatisfied judgments, warrant parking/traffic, auto emissions, failure to appear, or curfew which are no longer in effect.
 - 4) "Valid Driver's License" - a license issued by the Illinois Secretary of State which is not currently expired, suspended, revoked, or cancelled.
 - 5) "Suspension of Driving Privileges" - the temporary withdrawal by formal action by the Secretary to operate a motor vehicle on public highways for a period specifically designated by the Secretary.
- b) A person whose driving privileges have been suspended under Section 6-206(a)(2) of the Illinois Vehicle Code (Ill. Rev. Stat. 19819, ch. 95 1/2, par. 6-206(a)(2)) for conviction of not less than three (3) offenses committed within a twelve (12) month period against traffic regulations governing the movement of vehicles shall qualify for a probationary license if the individual meets the following requirements:
- 1) The person is not less than 18 years of age.
 - 2) The offenses for which the person was suspended do not exceed seventy-four (74) points as determined by the Illinois Traffic Offense Table (92 Ill. Adm. Code 1040.20).
 - 3) The individual's driving privileges have not been suspended or revoked within the past seven (7) years, excluding ~~suspensions pursuant to Section 6-206(a)(1) of the Illinois Vehicle Code (Ill. Rev. Stat. 1981, ch. 95 1/2, par. 6-206(a)(1)) concerning curfew violations, cleared miscellaneous suspensions.~~
 - 4) The individual has not previously or currently been arrested for an offense which requires mandatory revocation upon conviction as stated in Section 6-205 of the Illinois Vehicle Code (Ill. Rev. Stat. 19819, ch. 95 1/2, par. 6-205).
 - 5) ~~The person agrees to complete a driver improvement program/ This agreement must be confirmed by the individual's signature on the petition for a Restricted Driving Permit and/or Probationary License.~~
 - 5) The individual must have been issued or have qualified for a valid Illinois Driver's License prior to the suspension effective date and no outstanding reinstatement fee or failure to pay requirements have been entered to the driving record.

NOTICE OF PROPOSED AMENDMENT(S)

6) The individual has successfully completed a driver improvement course.

617) The individual submits a fee of \$8.00 completes an application and submits the required fees, including the \$8.00 probationary license fee, and surrenders his current driver's license.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 1030.130 Grounds for Cancellation of a Probationary License

a) Definitions.

1) "Probationary License" - a special license granting full driving privileges during a period of suspension; the license is issued upon successful completion of a driver improvement course.

2) "Driver Improvement Course" - an organized remedial activity approved by the Driver Services Department for improving the driving habits of certain suspended drivers. This course shall consist of individual counseling and/or group sessions of instruction and shall not exceed two sessions or a total of nine hours of instruction.

3) "Cleared Miscellaneous Suspensions" - suspensions for safety responsibility, financial responsibility, unsatisfied judgments, warrant parking/traffic, auto emissions, failure to appear, or curfew which are no longer in effect.

4) "Valid Driver's License" - a license issued by the Illinois Secretary of State which is not currently expired, suspended, revoked, or cancelled.

5) "Suspension of Driving Privileges" - the temporary withdrawal by formal action by the Secretary to operate a motor vehicle on public highways for a period specifically designated by the Secretary.

6) "Cancellation of a License" - the annulment or termination by formal action of the Secretary because the licensee is no longer entitled to such a license.

b) A Probationary License as defined in Section 1030.120 shall be cancelled and/or further action taken against the individual's driving privileges if one of the following situations occurs:

NOTICE OF PROPOSED AMENDMENT(S)

611) The Secretary of State receives reliable written evidence that the individual is less than 18 years of age.

612) The Secretary of State receives reliable written evidence that traffic convictions which were committed prior to the effective date of the suspension entered pursuant to Section 6-206(a)(2) of the Illinois Vehicle Code (III. Rev. Stat. 1983, ch. 95 1/2, par. 6-206(a)(2)) will result in the total points assessed against the individual's driving record to exceed seventy-four (74) points (within a twelve (12) month period) as determined by the Illinois Traffic Offense Table (92 Ill. Adm. Code 1040.20).

613) The Secretary of State receives reliable written evidence that the individual's driving privileges have been suspended or revoked within the past seven (7) years, excluding cleared miscellaneous suspensions pursuant to Section 6-206(a)(1) of the Illinois Vehicle Code (III. Rev. Stat. 1983, ch. 95 1/2, par. 6-206(a)(1)).

614) The Secretary of State receives reliable written evidence indicating that the individual has been arrested, or previously arrested for, an offense which would require mandatory revocation upon conviction as stated in Section 6-205 of the Illinois Vehicle Code (III. Rev. Stat. 1983, ch. 95 1/2, par. 6-205)).

615) The Secretary of State receives reliable written evidence that the individual did not attend or failed to complete the driver improvement program as defined in Section 1030.120 course.

616) The Secretary of State receives a reliable written report of a traffic offense, excluding those listed in Section 6-204(a)(2) of the Illinois Vehicle Code (III. Rev. Stat. 1983, ch. 95 1/2, par. 6-204(a)(2)), which was committed during the effective period of the probationary license.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Chicago

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Access to Public Records
- 2) Code Citation: 2 Ill. Adm. Code 2905
- 3) Section Numbers:

2905.10	New Section
2905.20	New Section
2905.100	New Section
2905.110	New Section
2905.200	New Section
2905.210	New Section
2905.300	New Section
2905.310	New Section
2905.400	New Section
2905.410	New Section
2905.420	New Section
- 4) Statutory Authority: Implementing and authorized by the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1004.01).
- 5) Effective Date of Rule(s): July 20, 1992
- 6) Does the rulemaking contain an automatic repeal date ? No.
- 7) Does this rule contain incorporations by reference ? No.
- 8) Date filed in Agency's Principal Office: July 15, 1992
- 9) Notice(s) of Proposal Published in Illinois Register: Does Not Require Notice.
- 10) Has JCAR issued a Statement of Objections to these rules? No.
- 11) Difference(s) between proposal and final version: Did not require notice of proposal.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Does not apply.

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

- 13) Will this rule replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rule(s): These Rules explain the procedures by which the public may request and obtain public information.
- 16) Information and questions regarding this adopted rule shall be directed to:
 Ms. Kerry Flynn
 830 S. Spring
 Springfield, Illinois 62704
 (217) 782-9696

The full text of the Adopted Rule(s) begins on the next page:

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ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

Section 2905.110 Form and Content of Requests

- a) Requests in accordance with the FOIA and this Part shall be made in writing.
- b) The required response times and the appeals procedures contained in the FOIA and this Part do not apply to oral requests.
- c) The requestor shall provide the following information in a request for public records:
 - 1) The Requestor's full name, address, and telephone number.
 - 2) An exact description of the public records sought.
 - 3) Whether the request is for inspection of public records, copies of public records, or both.

SUBPART C: PROCEDURES FOR COUNCIL RESPONSE TO REQUESTS FOR PUBLIC INFORMATION

Section 2905.200 Timeline for Council Responses

- a) The Council or its authorized representative shall respond to a written request for public records within seven (7) business days after the receipt of such request.
- b) The Council may give notice of an extension of time to respond which does not exceed an additional seven (7) business days. Such an extension is allowable only if written notice is provided within the original seven (7) business day time limit and only for the reasons provided in Section 3(d) of the FOIA. Such notice of extension shall state the reason why the extension is necessary.

Section 2905.210 Types of Council Responses

- a) The Council or its authorized representative shall respond to a request for public records in one of three ways:
 - 1) Approve the request.
 - 2) Approve in part and deny in part.
 - 3) Deny the request.
- b) Upon approval of a request for public records, the Council will either give notice that the materials shall be made available upon payment of reproduction costs or give notice of the time and place for inspection of records.
- c) A denial of a request for public records shall be made in writing. It shall state the reasons for the denial in accordance with either Section 3(f) or Section 7 of the FOIA and the names and titles of individuals responsible for the decision. It shall also give notice of the Requestor's right to appeal to the Director of the

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

Council.

- d) Categorical requests creating an undue burden upon the Council shall be denied only after extending to the Requestor an opportunity to confer in an attempt to reduce the request to manageable proportions in accordance with Section 3(f) of the FOIA.

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

Section 2905.300 Appeal of a Denial

- a) A Requestor whose request has been denied by the Freedom of Information Officer may appeal the denial to the Director of the Council. The notice of appeal shall be made in writing and sent to:

Director
 Illinois Planning Council on Developmental Disabilities
 830 South Spring Street
 Springfield, IL 62704

Attn: FOIA Appeal

- b) The notice of an appeal shall include a copy of the original request, a copy of the denial received by the Requestor, and a statement of the reasons why the appeal should be granted.

Section 2905.310 Director's Response to Appeal

The Director shall respond to an appeal within seven (7) business days after receiving notice thereof. The Director shall either affirm the denial or provide access to the requested public records.

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTORS

Section 2905.400 Inspection of Public Records at Council Offices

- a) Public records will be made available for inspection during normal business hours of the Council at the office of the Freedom of Information Officer.
- b) Documents which the Requestor has specified in writing to have copied shall be segregated during the course of the inspection. All copying shall be done

NOTICE OF ADOPTED RULES

c) An employee of the Council shall be present throughout the inspection. A Requestor may be prohibited from bringing bags, brief cases or other containers into the inspection room when, in the sole judgement of the Council's employee, such action is needed to insure the protection and confidentiality of the affected records.

Section 2905.410 Copies of Public Records
 Section 2905.420 General Materials Available from the Freedom of Information Officer
 A charge for copying will be assessed at the rate of \$0.25 per copy.

The Freedom of Information Officer shall make available to the public (at no charge) the following materials:

- a) A brief description of the organizational structure and budget of the Council.
- b) A brief description of the means for requesting information.
- c) A list of types and categories of public information maintained by the Council.

NOTICE OF ADOPTED RULES

1) Heading of the Part: Public Information, Rulemaking and Organization

2) Code Citation: 2 Ill. Adm. Code 2900

3) Section Numbers:
Adopted Action:

2900.10	New Section
2900.100	New Section
2900.110	New Section
2900.200	New Section
2900.210	New Section
2900.220	New Section
2900.230	New Section
Appendix A	New Section

4) Statutory Authority: Implementing and authorized by the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1004.01).

5) Effective Date of Rule(s): JULY 20, 1992

6) Does the rulemaking contain an automatic repeal date ? No.

7) Does this rule contain incorporations by reference ? No.

8) Date filed in Agency's Principal Office: July 15, 1992

9) Notice(s) of Proposal Published in Illinois Register: Does Not Require Notice.

10) Has ICAR issued a Statement of Objections to these rules? No.

11) Difference(s) between proposal and final version: Did not require notice of proposal.

12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? Does not apply.

13) Will this rule replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No.

Chicago

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

- 15) Summary and Purpose of Rule(s): These Rules explain the procedures regarding public information, rulemaking, and the purpose of the Council.
- 16) Information and questions regarding this adopted rule shall be directed to:
 Ms. Kerry Flynn
 830 S. Spring
 Springfield, Illinois 62704
 (217) 782-9696

The full text of the Adopted Rule(s) begins on the next page:

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

TITLE 2: GOVERNMENTAL ORGANIZATIONS
 SUBTITLE E: MISCELLANEOUS STATE AGENCIES
 CHAPTER L: ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL
 DISABILITIES

PART 2900
 PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
 2900.10 Public Information and Submissions

SUBPART B: RULEMAKING

Section
 2900.100 Adoption, Amendment, and Repeal of Rules
 2900.110 Compliance with the Administrative Procedures Act

SUBPART C: ORGANIZATION

Section
 2900.200 Definitions
 2900.210 Purpose and Organization
 2900.220 Council Meetings and Quorum
 2900.230 Bylaws

APPENDIX A Organizational Chart

AUTHORITY: Implementing and authorized by the Section 4.01 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1004.01) and the Illinois Planning Council on Developmental Disabilities Law (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1951 et seq.), as amended.

SOURCE: Adopted at 16 Ill. Reg. 12152, effective July 20, 1992

SUBPART A: PUBLIC INFORMATION

Section 2900.10 Public Information and Submissions

NOTICE OF ADOPTED RULES

Interested persons and the public may direct submissions and inquiries to the Council and may obtain information concerning the Council and its committees, programs, and activities from the Council's Springfield office, 830 South Spring, Springfield, Illinois 62704. The telephone number of the Springfield office is (217) 782-9696. Copies of the Council's Rules, State Plan, and Bylaws may be obtained from the Council upon request, in person or in writing.

SUBPART B: RULEMAKING

Section 2900.100 Adoption, Amendment, and Repeal of Rules

No rule shall be adopted, amended, or repealed except by the Illinois Planning Council on Developmental Disabilities.

Section 2900.110 Compliance with the Administrative Procedures Act

All rulemaking proceedings of the Council must be conducted in compliance with applicable provisions of the Illinois Administrative Procedure Act.

SUBPART C: ORGANIZATION

Section 2900.200 Definitions

As used in this Part, the following terms shall mean:

"Act": means the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.), as amended.

"Bylaws": means the Bylaws of the Council.

"Chairperson": means the Chairperson of the Council.

"Council": means the Illinois Planning Council on Developmental Disabilities.
"Council Members": means the Members of the Illinois Planning Council on Developmental Disabilities.
"Developmental Disability": means a severe, chronic disability of a person five (5) years of age or older which is attributable to a mental or physical impairment or combination of mental and physical impairments; and

NOTICE OF ADOPTED RULES

is manifested before the person attains age 22; and is likely to continue indefinitely; and results in substantial functional limitations in three or more of the following areas of major life activity: self care
receptive and expressive language
learning
mobility
self direction

capacity for independent living and economic self sufficiency; and reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment or other services which are of life long or extended duration and individually planned and coordinated; except that such term, when applied to infants and young children means individual from birth to age five (5), inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.

"Director": means the Director of the Council or authorized representative.

"Law": means the Illinois Planning Council on Developmental Disabilities Law (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1951 et seq.).

"Staff": means the staff of the Council.

"State Plan": means the Plan required under the Developmental Disabilities Assistance and Bill of Rights Act.

Section 2900.210 Purpose and Organization

a) The Council serves as an advocate for all persons with developmental disabilities to assure that they receive the services and other assistance necessary to enable them to achieve their maximum potential through increased independence, productivity, and integration into the community.
b) The Council is composed of thirty-nine (39) members, twenty-seven (27) of whom are appointed by the Governor for specific terms of office pursuant to the requirements of Section 2004 of the Law. Twelve (12) members shall be representatives of State governmental agencies pursuant to Section 2004 of the Law.

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

- c) The Council shall develop and implement the State Plan and perform other duties as prescribed under the Developmental Disabilities Assistance and Bill of Rights Act.
- d) Funds for the staffing and operation of the Council's programs and activities are authorized under the Developmental Disabilities Assistance and Bill of Rights Act and the Illinois Planning Council on Developmental Disabilities Law.

Section 2900.220 Council Meetings and Quorum

- a) Council meetings are subject to the provisions of the Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, par. 41 et seq.).
- b) For regular and special Council meetings, the total membership consists of thirty-eight (38) voting members, excluding any vacant positions. A quorum shall consist of a simple majority and shall be sufficient to constitute the transaction of the business of the Council unless stipulated otherwise in the bylaws of the Council.
- c) The Council shall meet at least quarterly each year.
- d) Special Council meetings may be called by the Chairperson or upon the written request of ten (10) or more voting members of the Council.
- e) The Council shall have prepared a written record of the minutes of the proceedings of each regularly scheduled or special Council meeting.

Section 2900.230 Bylaws

- a) Business of the Council is transacted in accordance with the Bylaws, which are available to the public.
- b) Council meetings shall be conducted according to parliamentary procedures as established by Robert's Rules of Order.

ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULES

Section 2900.APPENDIX A Organizational Chart



DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

15) Summary and purpose of the rules: This proposed amendment sets forth the standards used by the Department in determining whether a worker is the employee of the employee leasing company or of its client company.

16) Information and questions regarding these adopted amendments may be addressed to:

Gregory J. Rameil, Acting Commissioner
 Illinois Department of Employment Security
 401 South State Street - 2 South
 Chicago, Illinois 60605
 312/793-4240

The full text of the Adopted Amendment(s) begins on the next page:

1) Heading of the Part: Employment

2) Code citation: 56 Ill. Adm. Code 2732

3) Section Number: Adopted Action: 2732.305
 New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 315, 316, 322, 327, 610 and 611.

5) Effective Date of the Amendment: July 20, 1992.

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this Rule contain an incorporation by reference? No.

8) Date filed in Agency's Principal Office: July 20, 1992.

9) Notice of Proposal published in Illinois Register: January 17, 1992 at 16 Ill. Reg. 785.

10) Has JCAR issued a Statement of Objection to these Rules? No.

11) Difference between proposal and final version: In subsection (a)(1), "is" is changed to "in"; in subsection (a)(2), the hyphen in "lay-offs" is deleted; in subsection (b), "which" is replaced by "that"; in subsection (b)(1)(B), "which are" is deleted and a comma is added after "conduct"; in subsection (b)(3)(C), "are" is replaced by "is"; in subsection (b)(4), the semi-colon and "and" are deleted and replaced by a period; in subsection (b)(5), the comma after "working conditions" is deleted and replaced by "and"; "following" is deleted and "questions" is changed to "question"; and, in subsection (c), "from conferring" is changed to "to confer".

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will this replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No.

DEPARTMENT OF EMPLOYMENT SECURITY

ILLINOIS REGISTER

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

PART 2732
EMPLOYMENT

SUBPART A: COVERAGE

Section 2732.125 Requirement That "Four Or More" Employees Of A Nonprofit Organization Perform Services Within This State

SUBPART B: SERVICES IN EMPLOYMENT

2732.200 Section 212 Of The Act - Services In Employment
2732.203 The Effect Of Regulation By A Governmental Entity On "Direction Or Control" Under Section 212 Of The Act
2732.210 Mandatory Jury Service
2732.220 Exemption From The Definition Of Employment For Direct Sellers of Consumer Goods

SUBPART C: DETERMINING THE EMPLOYER2732.305 Employee Leasing Companies

AUTHORITY: Implementing and authorized by Sections 205, 206, 212, 217, 1700, and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1991, ch. 48, pars. 315, 316, 322, 327, 610 and 611).

SOURCE: Adopted at 13 Ill. Reg. 8864, effective May 30, 1989; amended at 14 Ill. Reg. 673, effective January 2, 1990; amended at 15 Ill. Reg. 11423, effective July 30, 1991; amended at 16 Ill. Reg. 8173, effective May 18, 1992; amended at 16 Ill. Reg. 12159, effective July 20, 1992.

SUBPART C: DETERMINING THE EMPLOYERSection 2732.305 Employee Leasing Companies

- a) The words and terms used in this Section shall have the following meanings:
- 1) "Client" shall have the same meaning as that set forth for this term in Section 2765.5 of this Part;
 - 2) "Employee leasing company" (also referred to as an employee service company) shall have the same

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

meaning as that set forth for this term in Section 2765.5 of this Part;

Example: An on-going business lays off its workers and then they are immediately hired by the employee leasing company. This transaction exemplifies supplying workers to a client.

- 3) "Worker" means an individual provided by an employee leasing company to perform services in employment for its client.
- b) Notwithstanding any contractual provisions that designate who is the employer, an employee service company is the employer of a worker only if, in fact, the employee service company performs all of the following functions:
 - 1) Retains the sole authority to hire, promote, discipline and terminate the worker. An indication of whether the employee leasing company performs this function can be found in the answers to the following questions:
 - A) Who recruits, interviews and tests the prospective worker and subsequently makes the firing decision?
 - B) Who formulates rules and regulations applicable to worker conduct, regardless of where the worker is placed?
 - C) Who does the worker notify of any absences and requests for leave?
 - D) Who resolves any worker dissatisfaction concerning conditions of employment?
 - 2) Assigns or approves the worker to perform services for the client. An indication of whether the employee leasing company performs this function can be found in the answers to the following questions:
 - A) Does the client independently negotiate with the worker regarding conditions of employment?

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DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Payment Of Unemployment Contributions, Interest And Penalties
- 2) Code Citation: 56 Ill. Adm. Code 2765
- 3) Section Number: Adopted Action:
 2765.67 New Section
 2765.69 New Section
 2765.225 New Section
 2765.228 New Section
 2765.230 New Section
 2765.325 Amended Section
 2765.328 New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 48, pars. 322, 382, 420, 431, 432, 433, 442, 451, 550, 551, 552, 553, 554, 555, 572.1, 573, 577, 578, 579, 610, 611 and 750.
- 5) Effective Date of the Amendment: July 20, _____, 1992.
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this Rule contain an incorporation by reference? No.
- 8) Date filed in Agency's Principal Office: July 20, 1992.
- 9) Notice of Proposal published in Illinois Register: August 2, 1991 at 15 Ill. Reg. 11034.
- 10) Has JCAR issued a Statement of Objection to these Rules? No.
- 11) Difference between proposal and final version: In Section 2765.67, "of" in the fifth line is changed to "after" and "of" is also changed to "after" in the seventh line of the example; in Section 2765.69, "of" is changed to "after" in the seventh line and "the" is inserted after "that" in the tenth line of the example; in Section 2765.228, "There is no requirement that" is deleted from the first line and "is not required to" is added after "(Ill. Rev. Stat. 1991, ch. 48, par. 577)" in the third line; in Section 2765.230, "enterprises" in the fourth line is changed to "enterprise", "there can be" is deleted from the seventh line and "exists" is added to the end of that line; in the example in Section 2765.325(e), "a" is inserted after "After" in the fourth line; and in Section 2765.328(a)(4), a comma is inserted

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

- after "corporation" in the second line. All references to the 1989 edition of the Illinois Revised Statutes are changed to the 1991 edition.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
 - 13) Will this replace an emergency rule currently in effect? No.
 - 14) Are there any amendments pending on this Part? No.
 - 15) Summary and purpose of the rules: These proposed amendments set forth the additional situations in which the Director will grant a partial waiver of interest. They also set forth some of the considerations made by the Director when determining whether a predecessor-successor relationship exists. These amendments also set forth the Director's interpretation of the experience rating provisions of the Act as requiring that the chargeability of an employer be determined at the time that an initial claim for benefits is filed. These proposed amendments also endeavor to simplify the understanding of benefit charging by breaking the lengthy Section 2765.325 into two separate Sections.
 - 16) Information and Questions regarding these Adopted Amendments may be addressed to:

Gregory J. Ramel, Acting Commissioner
 Illinois Department of Employment Security
 401 South State Street - 2 South
 Chicago, Illinois 60605
 312/793-4240

The full Text of the Adopted Amendments begins on the next page:

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

PART 2765

PAYMENT OF UNEMPLOYMENT CONTRIBUTIONS, INTEREST AND PENALTIES

SUBPART A: GENERAL PROVISIONS

Section

2765.1	Unemployment contributions not deductible from wages
2765.5	Definitions
2765.10	Payment of contributions
2765.15	Liability for the entire year
2765.18	Liability of a third party purchaser or transferee for the due and unpaid contributions, interest and penalties of the seller or transferor's seller or transferor
2765.20	Contributions of employers by election
2765.25	Payments in lieu of contributions
2765.30	When payments in lieu of contributions payable
2765.35	Payments when reimbursable employer becomes contributory
2765.40	Payments when contributory employer becomes reimbursable
2765.45	Application of payment
2765.50	Accrual of interest
2765.55	Imposition of penalty
2765.60	Payment or filing by mail
2765.63	When payment due and consequences of upward revision in employer's contribution rate
2765.65	Waiver of interest or penalty
2765.66	Waiver of interest accruing because of certain types of employees for periods prior to January 1, 1988
2765.67	Partial waiver of interest where an employer has erroneously reported wages to the wrong State
2765.68	Waiver of penalty for certain employers for 1987 and thereafter wage reports (UC-3/40)
2765.69	Partial waiver of interest where an employer has erroneously paid its Federal unemployment tax Act (FUTA) tax in full but has failed to pay its Illinois unemployment insurance contributions
2765.70	Time for paying or filing delayed payment or report
2765.75	Application for waiver
2765.80	Approval of application for waiver
2765.85	Insufficient or incomplete application
2765.90	Disapproval of application conclusive
2765.95	Appeal and hearing

SUBPART B: EXPERIENCE RATING

2765.200

Effect of a successor employing unit's failure to notify the Director of its succession

NOTICE OF ADOPTED AMENDMENT(S)

2765.210	Prohibition on withdrawal of joint application for partial transfer of experience rating record
2765.220	Determination of benefit wage and benefit ratio
2765.225	Requirement for privity in order to have a predecessor successor relationship
2765.228	No requirement for continuous operation in order for a predecessor successor relationship to exist
2765.230	Effect of a transfer of physical assets on a finding that a predecessor successor relationship exists

SUBPART C: BENEFIT CHARGES

2765.325	Application of "30 Day" Requirement for Determining the Chargeable Employer Pursuant to Section 1502.1 of the Act
2765.326	Requirement for a separation or a reduction in the work offered in determining the chargeable employer pursuant to Section 1502.1 of the Act
2765.328	What constitutes a day for purposes of the "30 Day" Requirement in Section 1502.1 of the Act
2765.332	Effect of Ineligibility Under Section 602(B) on Chargeability Under Section 1502.1 of the Act
2765.333	Effect of Ineligibility Under Section 612 on Chargeability Under Section 1502.1 of the Act
2765.334	Effect of Ineligibility Under Section 614 on Chargeability Under Section 1502.1 of the Act
2765.335	Procedural Requirements and Right of Appeal

SOURCE: Adopted at 6 ILL. Reg. 3863, effective March 31, 1982; amended at 7 ILL. Reg. 13266, effective September 28, 1983; recorded at 8 ILL. Reg. 15027; amended at 11 ILL. Reg. 3972, effective February 23, 1987; amended at 11 ILL. Reg. 11743, effective June 26, 1987; amended at 11 ILL. Reg. 12882, effective July 22, 1987; emergency amendments at 12 ILL. Reg. 225, effective January 1, 1988, for a maximum of 150 days, expired May 30, 1988; amended at 12 ILL. Reg. 17342, effective October 12, 1988; amended at 13 ILL. Reg. 20484, effective November 28, 1988; emergency amendments at 13 ILL. Reg. 11911, effective July 1, 1989, for a maximum of 150 days; amended at 13 ILL. Reg. 17410, effective October 30, 1989; amended at 14 ILL. Reg. 6218, effective April 16, 1990; amended at 14 ILL.

Illinois

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT(S)

Reg. 19886, effective November 29, 1990; amended at 15 Ill. Reg. 185, effective December 28, 1990; amended at 15 Ill. Reg. 11122, effective July 19, 1991; amended at 16 Ill. Reg. 2131, effective January 27, 1992; 16 Ill. Reg. 12165, effective July 20, 1992, 1992.

SUBPART A: GENERAL PROVISIONS

Section 2765.67 Partial Waiver Of Interest Where An Employer Has Erroneously Reported Wages To The Wrong State

Where wages should have been reported to Illinois, but the employer has erroneously reported these wages to another state, if such employer makes payment of all contributions, penalties and interest (except the amount of interest that is subject to waiver under this Section) due within 30 days after the date that notice of its erroneous reporting is mailed to the employer, the Director shall waive interest to the extent that the amount of interest due exceeds the amount of interest that would have been due if the rate of interest imposed were the same as the rate of interest paid by the Secretary of Treasury on amounts held by the Secretary in the federal Unemployment Trust Fund during the same period.

Example: Employer A erroneously reports the wages of certain workers on its Iowa Unemployment Insurance Contributions Reports. It is determined that such wages should have been reported under the Illinois Unemployment Insurance Act. If this employer pays all contributions, penalties and interest due under the Illinois Act within 30 days after being notified of its erroneous reporting, the Director will waive any interest in excess of the amount of interest that would have been credited to Illinois if the employer's contributions had been credited to this State's account in the federal Unemployment Trust Fund as of the date that the contributions were due.

(Source: Added at 16 Ill. Reg. 12165, effective July 20, 1992)

Section 2765.69 Partial Waiver Of Interest Where An Employer Has Erroneously Paid Its Federal Unemployment Tax Act (FUTA) Tax In Full But Has Failed To Pay Its Illinois Unemployment Insurance Contributions

Where an employer has erroneously failed to pay its Illinois Unemployment Insurance contributions when due but instead timely paid the full amount of its Federal Unemployment Tax Act (FUTA) liability (6.2% for 1990) and that employer pays the full amount of any contributions, penalties and interest (except the amount of

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interest that is subject to waiver under this Section) due within 30 days after the date that notice of its failure to pay its Illinois Unemployment Insurance contributions is mailed to the employer, the Director shall grant a partial waiver of interest from the date that the employer made its FUTA payment. The extent of that waiver shall be the amount by which the amount of interest due exceeds the amount of interest that would have been due if the rate of interest imposed were the same as the rate of interest paid by the Secretary of Treasury on amounts held by the Secretary in the federal Unemployment Trust Fund during the same period.

Example: On January 31, 1990, Employer A erroneously pays the full FUTA amount on all of the wages that it paid in 1989 which were subject to that Act. On March 31, 1990, the Director notifies this employer that it has failed to pay its Illinois Unemployment Insurance contributions for 1989. If this employer pays the full amount of contributions, penalties and interest due in this matter by April 30, 1990, the Director will waive the interest due for the period from January 31, 1990 to the date of payment, to the extent that the amount of interest due exceeds the amount of interest that would have been due if the rate of interest imposed were the same as the rate of interest paid by the Secretary of Treasury on amounts held by the Secretary in the federal Unemployment Trust Fund during the same period.

(Source: Added at 16 Ill. Reg. 12165, effective July 20, 1992)

SUBPART B: EXPERIENCE RATING

Section 2765.225 Requirement For Privity In Order To Have A Predecessor Successor Relationship

In order for a predecessor successor relationship to exist under Section 1507 of the Act (Ill. Rev. Stat. 1991, ch. 48, par. 577), there must be privity between the predecessor employing unit and the successor employing unit.

- a) Example: AAA Oil Company, which owns all the equipment and inventory at a gas station, leases the station to Company B which becomes a liable employer under the Act. When Company B's lease expires, AAA Oil Company refuses to renew the lease and, instead, leases the station to Company C. Company C is not a successor to Company B because there is no privity between Company B and Company C.

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benefit charges or payments in lieu of contributions, as the case may be, which result from any benefits paid to that individual.

- 1) Example: Immediately prior to filing his claim for unemployment benefits, the individual provides services to Company A, a liable, contributing employer, for 20 days. Prior to this period, he provides services to Company B, a liable, contributing employer, for 30 days. Prior to working for Company B and throughout his base period, the individual has provided at least 10 days of service to Company A. In this example, Company A will be the chargeable employer and will be liable for any benefit charges which might accrue as a result of any benefits paid to this individual. This is because the individual's last employer prior to the beginning of his benefit year is Company A and he provided services to Company A during at least 30 days during the period from the beginning of the individual's base period to the beginning of his benefit year. Pursuant to Section 1502.1 of the Act, it is not necessary for the 30 days of services by the individual to be consecutive.
- 2) Example: Prior to the beginning of his benefit year, the individual provides services only to Company A, a liable, contributing employer, for over ten years. Company A will be this individual's chargeable employer with respect to this individual's entire benefit year because Company A is the individual's last employer of at least 30 days prior to the beginning of his benefit year. If, after claiming benefits for a few weeks, this individual is employed by Company B, a liable, contributing employer, for six months, is laid off by Company B and files an additional claim, Company A will still be the chargeable employer of this individual with respect to any benefit charges which might accrue with respect to the additional claim. Company A remains liable for the benefit charges which accrue during the entire benefit year regardless of the number of times that the individual is laid off and becomes reemployed.

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- 3) Example: Prior to the beginning of his benefit year, the individual is employed on an as-needed basis (some weeks the individual might work four days, other weeks he might not work at all) for Company A, a liable, contributing employer. While so employed by Company A, the individual is also employed on a full time basis for Company B, a liable, contributing employer. The individual is laid off by Company B and is offered two days of work by Company A. After working for these two days, no other work is currently available with Company A, and the individual files a claim for benefits. If the individual had been employed by Company A for at least 30 days from the beginning of his base period to the beginning of his benefit year, Company A will be liable for any benefit charges which might accrue as a result of any benefits which might be paid to this individual. This is because, despite the individual's full time employment with Company B, the individual's last employer for whom he provided services of at least 30 days during the applicable period was Company A, and it was his separation from Company A that caused the individual to become "unemployed."
- 4) Example: Assume the same facts as in subsection (a)(3); except that, instead of being an as-needed employee, the individual continues to provide less than full time services to Company A and earns less than his weekly benefit amount. In that case, Section 2765.326 shall apply, and Company B will be the chargeable employer because it caused this individual to become unemployed as defined in Section 239 of the Act.
- 5) Example: The individual is a substitute teacher. Whenever she is available to teach, she calls in for assignments with her school district, a local governmental entity which has elected to make payments in lieu of contributions. During the first semester of the school year, she teaches only 32 days. She, however, did not work for the school district during her base period. If she now files a claim for benefits, her school district will be liable for 50% of any payments in lieu of contributions which would result if she would be

8) Example: An individual is employed during his entire base period for Company A, a liable, contributing employer. After being laid off by Company A, he works for at least 30 days for the State of Illinois, which makes payments in lieu of contributions pursuant to Section 1403 of the Act. If this individual files a claim for benefits, the State of Illinois will be liable for an amount equal to 50% of the benefits paid to this individual since the State of Illinois is the chargeable employer but not a base period employer.

b) The 30-day requirement set forth in subsection (a) shall include any day on which any services are actually performed for the employer by the individual prior to the date of separation for the purposes of this section, even if a shift covers two calendar days only one day shall be included in determining whether the 30-day requirement has been met. Paid sick days, vacation days, hot days or other similar paid non-working days shall not be counted toward meeting the 30-day requirement. Payments for wages in lieu of notice pension or other retirement type payments or for severance pay also do not meet the requirements of this section.

1) Example: The individual works a shift which begins at 6 pm and ends at 7 am the next day. While this individual performs services for this employer on two calendar days for the purpose of determining whether the 30-day requirement set forth in subsection (a) has been met, the individual's shift counts as only one day of service.

2) Example: The individual begins his shift at noon but becomes ill fifteen minutes later. Since the individual performed services for the employer for fifteen minutes one day is counted toward meeting the 30-day requirement set forth in subsection (a).

3) Example: The individual is scheduled to work on a certain day but fails to report for work because he is ill. Even if the employer provides paid sick leave to the individual for that day, it will not be counted toward the 30-day requirement set forth in subsection (a).

6) Example: The individual is employed for 25 days during his base period for City A, a local governmental entity which has elected to make payments in lieu of contributions. He then works for Company B, a liable, contributing employer for approximately ten months. After being laid off by Company B, he is again employed by City A which then lays him off after five days. City A will be liable for payments in lieu of contributions equal to 100% of the benefits paid to this individual. This is because City A is the individual's last employer prior to the beginning of his benefit year, and this individual was employed for at least 30 days beginning with the start of his base period and prior to the beginning of his benefit year. City A is liable for 100% of the benefits paid because, in addition to being the chargeable employer as provided in this subsection, the individual also provided services for this employer during his base period. If this employer had met the requirements to be the chargeable employer but this individual had not provided services to this employer during his base period, then this employer would have been liable for only 50% of the payments in lieu of contributions made to this individual as provided in subsection (a)(5).

7) Example: The individual is employed by several different employers from the beginning of his base period until he first files a claim for benefits. However, he does not provide services for at least 30 days to any single employer during this period. Therefore, there is no chargeable employer, and no employer will be liable for either the benefit charges or payments in lieu of contributions as a result of payments made to this individual during this claim for benefits.

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4) ~~Example:--The individual receives paid sick leave from Company A, a nonprofit corporation which elects to make payments in lieu of contributions, for 35 days during his base period.--He has no other employment with Company A during his base period.--He also performs services during his base period for Company B, a liable, contributing employer.--After being laid off by Company B, he returns to Company A for 30 days before being again laid off.--Company A will be liable for an amount equal to 100% of the benefits paid to this individual as payments in lieu of contributions. This is because Company A is the last employer of this individual, the 30-day requirement is met by the individual's employment, and the paid sick leave constitutes wages for insured work paid during the individual's base period.~~

5) ~~Example:--Upon the permanent layoff of an individual, the employer pays that individual for any unused, accrued vacation time, that the individual is due and grants him severance pay in the amount of one day's pay for each year of continuous service.--These payments are not included for the purpose of determining whether this employer has met the 30-day requirement.~~

e) If the last organization or person for whom the individual provided at least 30 days of service is not an employer, as defined by Section 205 of the Act, then no employer shall be the chargeable employer, and any benefit charges or payments in lieu of contributions which accrue as a result of benefits paid to the individual shall not become the benefit charges or the amounts due of any employer. Whether the last organization or person for whom the individual provided at least 30 days of service is an employer, as defined by Section 205 of the Act, is determined as of the effective date of the claim and is unaffected by a later determination of liability based on events which occur after the effective date of the claim.

1) Example: An individual is employed during his entire base period for Company A, a liable, contributing employer. He then leaves Illinois and obtains work in California for at least 30 days for

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an organization which is not liable under the Act. If this individual is laid off from his California job and files a claim against Illinois based on his Illinois base period wages, no employer shall be liable for any benefit charges for any benefit payments made to this individual. This is because the California organization is not an employer under the Act and, therefore, cannot be the chargeable employer under this Section.

2) Example: An individual is employed during his entire base period for Company A, a liable, contributing employer. After being laid off by Company A, he works for at least 30 days for the U. S. Postal Service, which is not an employer under the Act and for which reimbursement for any benefits paid is determined pursuant to Federal Regulations. He is then laid off by the Postal Service. If this individual files a claim for benefits, no employer shall be liable for any benefit charges for any benefit payments made to this individual. This is because the U. S. Postal Service is not an employer under the Act and, therefore, cannot be the chargeable employer under this Section.

3) Example: An individual files a claim for benefits, effective March 11, 1990, after having last been employed by Company A which began business as of January 1, 1990. As of March 11, 1990, Company A is not an employer under the Act because it has not yet had one or more employees in each of twenty or more weeks nor has it paid at least \$1,500 in wages in a calendar quarter. However, as of September 10, 1990, it has one or more employees in each of twenty or more weeks, and, therefore, its liability is made retroactive to January 1, 1990. In this case, Company A will not be the chargeable employer because its liability is a result of a retroactive determination based on events subsequent to the effective date of the individual's claim.

4) Example: An individual files a claim for benefits, effective March 11, 1990, after having last been employed by Company A which claims that it is not liable under the Act because it has no

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benefits and the requalification occurred after the beginning of the individual's benefit year, the disqualifying event occurred after the beginning of the individual's benefit year.

- 5) **Example:** Assume the same facts as in subsection (d)(3) except that Company B is not an employer under the Act. In this case, no employer will be charged as a result of any benefits paid to this individual. This is because the individual was discharged for misconduct connected with his work by Company A and earned an amount equal to or in excess of his weekly benefit amount in each of four weeks after the beginning of his benefit year from Company B, an organization which is not subject to the Act. However, because it is not an employer under the Act, it cannot be charged and, therefore, the charges will be pooled.
- 6) **Example:** An individual is employed by Company A for several months before being laid off for lack of work. The individual does not file a claim for benefits immediately but goes on vacation. When he returns from vacation, Company A offers the individual a suitable job which he refuses without good cause. However, during that same week, he is hired by Company B where he then works and less than 30 days but earns in excess of his weekly benefit amount in each of four weeks. When he is laid off by Company B, the individual files a claim for benefits and is not subject to disqualification for his refusal of work from Company A because he has had sufficient earning from Company B to purge any possible disqualification. Company A will not be charged for benefit charges which result from payments to this individual because the individual refused the Company's offer of suitable work without good cause. Company B will not be charged either because it paid this individual the amounts necessary to purge the possible disqualification before the beginning of the individual's benefit year. Therefore, in this case, no employer will be the chargeable employer, and the benefit charges will be pooled.

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- ed) If no employer meets the requirements of this Subpart to be the chargeable employer for the second of two consecutive benefit years but there was a chargeable employer for the first benefit year, that employer will be the chargeable employer for that second benefit year.

Example: The individual is discharged for misconduct connected with his work by Company A, files a claim for benefits and is held ineligible pursuant to Section 602 of the Act. He then returns to work for Company B, a liable and contributing employer, and earns an amount equal to or in excess of his current weekly benefit amount in each of four calendar weeks, which is sufficient to requalify for benefits. He is then laid off by Company B and is now eligible for benefits. Under these circumstances, Company B will be charged for any benefit charges which accrue because it was the single employer which paid the individual the amount necessary to requalify for benefits and the requalification occurred after the beginning of the individual's benefit year. If this individual later files a second benefit year claim, Company B did not employ the individual for at least 30 days and paid the amount necessary for the individual to requalify prior to the beginning of the second benefit year. However, Company B will be the chargeable employer because there is no other employer that meets the requirements for chargeability and because it was the chargeable employer for the individual's first benefit year.

- fe) Whether the last employer for whom the individual provided at least 30 days of service is the chargeable employer is determined based on the circumstances as of the effective date of the initial claim for that benefit year and is unaffected by events which occur after that date.

Example: Company A is determined to be the chargeable employer of an individual who is laid off for lack of work and has filed an initial claim for unemployment insurance benefits. After a few weeks, this individual is recalled to work

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by Company A. A few months later, he quits his job with Company A and files an additional claim. Company A is still the chargeable employer since chargeability is determined based on the circumstances as of the effective date of the initial claim and is unaffected by the separation which occurred after that date.

f) Notice that a claim for benefits has been filed will be sent by the Agency to every employing unit for whom the individual provided services, subsequent to the services provided to the chargeable employer, prior to the beginning of the individual's benefit year.

(Source: Amended at 16 Ill. Reg. 12165, effective July 20, 1992

Section 2765.328 What Constitutes A Day For Purposes Of The "30 Day" Requirement In Section 1502.1 Of The Act

a) The 30 day requirement, set forth in Section 2765.325, shall include any day on which any services are actually performed for the employer by the individual prior to the date of separation. If a shift covers two calendar days, only one day shall be included in determining whether the 30 day requirement has been met. The day included is the one on which the individual's shift begins. Paid sick days, vacation days, holidays or other similar paid, non-working days shall not be counted toward meeting the 30 day requirement. Payments for wages in lieu of notice, pension or other retirement type payments or for severance pay also do not meet the requirements of this Section.

l) Example: The individual works a shift which begins at 10 pm on Monday and ends at 7 am on Tuesday. While this individual performs services for this employer on two calendar days, for the purpose of determining whether the 30 day requirement set forth in Section 1502.1 of the Act has been met, the individual's shift counts as only one day of service, Monday.

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2) Example: The individual begins his shift at noon but becomes ill fifteen minutes later. Since the individual performed services for the employer for fifteen minutes, one day is counted toward meeting the 30 day requirement.

3) Example: The individual is scheduled to work on a certain day but fails to report for work because he is ill. Even if the employer provides paid sick leave to the individual for that day, it will not be counted toward the 30 day requirement.

4) Example: The individual receives paid sick leave from Company A, a nonprofit corporation, which elects to make payments in lieu of contributions, for 35 days during his base period. He has no other employment with Company A during his base period. He also performs services during his base period for Company B, a liable, contributing employer. After being laid off by Company B, he returns to Company A for 30 days before being again laid off. Company A will be liable for an amount equal to 100% of the benefits paid to this individual as payments in lieu of contributions. This is because Company A is the last employer of this individual; the 30 day requirement is met by the individual's employment; and the paid sick leave constitutes wages for insured work paid during the individual's base period.

5) Example: Upon the permanent layoff of an individual, the employer pays that individual for any unused, accrued vacation time that the individual is due and grants him severance pay in the amount of one day's pay for each year of continuous service. These payments are not included for the purpose of determining whether this employer has met the 30 day requirement.

6) Example: The individual works a four day work week, that is, instead of working eight hours per day, five days per week, he works ten hours per day, four days per week. Even if the individual's ten hour shift extends over two calendar days, each shift still counts as only one day, and this individual will have worked only four days in a normal work week.

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b) Overtime work or working additional shifts shall not be included in determining whether the 30 day requirement has been met unless there is at least 6 hours between the beginning of the overtime work or the additional shift and the end of the prior shift and the overtime work or additional shift does not occur on a day which will be otherwise be included in meeting the 30 day requirement.

1) Example: The individual's normal shift ends at 3 am, and he is asked to work the next shift which begins at 4 am. Even if he works both shifts, since there is not at least 6 hours between the shifts, only one day will be counted toward meeting the 30 day requirement.

2) Example: The individual's shift ends at 3 am on Saturday, and he is asked to return to work for an additional overtime shift from 9 am until 2 pm. He must then return to work at 7 pm to work his regular shift. This overtime work does not count as an additional day toward meeting the 30 day requirement because his regular shift begins that same day and would already be included in meeting the 30 day requirement.

3) Example: The individual's normal shift begins at 3 pm and ends at 11 pm. However, he is required to work four hours of overtime every day so that he does not complete his shift until 3 am. This shift still counts as only one day toward the 30 day requirement.

(Source: Added at 16 Ill. Reg. 12165, effective July 20, 1992)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: MEDICAL PAYMENT
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Number: Adopted Action:
 140.543 Amendment
 140.565 Amendment
 140.579 Amendment
- 4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, Ch. 23, Pars. 5-5.1 et seq. and 12-13)
- 5) Effective Date of Adopted Amendments: July 24, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Adopted Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: July 24, 1992
- 9) Notice of Proposal Published in Illinois Register:
 89 Ill. Adm. Code 140.543
 February 28, 1992 (16 Ill. Reg. 3045)
 89 Ill. Adm. Code 140.565
 January 24, 1992 (16 Ill. Reg. 1492)
 89 Ill. Adm. Code 140.579
 March 6, 1992 (16 Ill. Reg. 3409)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Difference(s) between proposal and final version:
 89 Ill. Adm. Code 140.543

The following changes were made in the text of the proposed amendments in accordance with agreements reached between the Joint Committee on Administrative Rules and the Department.

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<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.528	Amendment	June 19, 1992 (16 Ill. Reg. 9393)
140.529	Amendment	June 19, 1992 (16 Ill. Reg. 9393)
140.566	New Section	March 27, 1992 (16 Ill. Reg. 4708)
140.600	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.602	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.604	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.608	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.610	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.612	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.614	New Section	January 10, 1992 (16 Ill. Reg. 472)
140.700	Amendment	May 15, 1992 (16 Ill. Reg. 7576)

15) Summary and Purpose of Adopted Amendments:89 Ill. Adm. Code 140.543

Section 140.543, which addresses cost reports, is now being revised to provide instructions for the preparation of cost reports by sets of small scale facilities. This revision allows sets of facilities to file a combined cost report which covers each facility in the set, but specifies that the section of the cost report pertaining to fixed asset cost and depreciation must be prepared separately for each facility in the set.

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89 Ill. Adm. Code 140.565

This rulemaking outlines kosher kitchen reimbursement as described under Public Act 86-1464. An additional \$.25 per day, per resident will be paid to skilled and intermediate facilities that have fully kosher kitchen and food service operations that are, at least annually, rabbinically approved or certified and sixty percent (60%) or more of the residents in the facility request kosher foods or food products prepared in accordance with Jewish religious dietary requirements.

89 Ill. Adm. Code 140.579

Section 140.579 is being revised to provide Specialized Living Centers (SLCs) with equitable capital reimbursement relative to the other long term care facilities. The Department recently made changes in the reimbursement for capital costs for long term care facilities which were effective July 1, 1991. These changes resulted in increased rates for equipment, rent, vehicle and working capital. SLC facilities were inadvertently excluded from receiving these capital rate increases because capital rates for SLCs are calculated according to a separate methodology. Since SLC facilities are not receiving these rate increases, and their capital rates have not been increased for eight years, changes are now being made to increase capital rates for SLCs effective October 1, 1991.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Bureau of Rules and Regulations

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217)524-3216

The full text of the Adopted Amendments begins on the next page!

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140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.22	Magnetic Tape Billings
140.23	Payment of Claims
140.24	Payment Procedures
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140.103	Liver Transplants (Recorded)
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140.5	Covered Medical Services Under GA
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- 140.855 Definition of Terms
- 140.860 Covered Services
- 140.865 Sponsor Qualifications

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- 140.870 Sponsor Responsibilities
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- 140.900 Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
- 140.901 Functional Areas of Needs (Recodified)
- 140.902 Service Needs (Recodified)
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- 140.908 Times and Staff Levels (Recodified)
- 140.909 Statewide Rates (Recodified)
- 140.910 Referrals (Recodified)
- 140.911 Basic Rehabilitation Aide Training Program (Recodified)
- 140.912 Interim Nursing Rates (Recodified)

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

- Section
- 140.940 Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)
- 140.942 Definition of Terms (Recodified)
- 140.944 Notification of Negotiations (Recodified)
- 140.946 Hospital Participation in ICARE Program Negotiations (Recodified)
- 140.948 Negotiation Procedures (Recodified)
- 140.950 Factors Considered in Awarding ICARE Contracts (Recodified)
- 140.952 Closing an ICARE Area (Recodified)
- 140.954 Administrative Review (Recodified)
- 140.956 Payments to Contracting Hospitals (Recodified)
- 140.958 Admitting and Clinical Privileges (Recodified)

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amended at 8 111. Reg. 254, effective December 21, 1983; emergency amendment at 8 111. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 111. Reg. 2483; amended at 8 111. Reg. 3012, effective February 22, 1984; amended at 8 111. Reg. 5262, effective April 9, 1984; amended at 8 111. Reg. 6785, effective April 27, 1984; amended at 8 111. Reg. 6983, effective May 9, 1984; amended at 8 111. Reg. 7258, effective May 16, 1984; emergency amendment at 8 111. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 111. Reg. 7910, effective June 1, 1984; amended at 8 111. Reg. 10032, effective June 18, 1984; emergency amendment at 8 111. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 111. Reg. 13343, effective July 17, 1984; amended at 8 111. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 111. Adm. Code 141 at 8 111. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 111. Reg. 17899; peremptory amendment at 8 111. Reg. 18151, effective September 18, 1984; amended at 8 111. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 111. Reg. 21677, effective October 24, 1984; amended at 8 111. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 111. Reg. 22155, effective October 29, 1984; amended at 8 111. Reg. 23218, effective November 20, 1984; emergency amendment at 8 111. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 111. Reg. 25067, effective December 19, 1984; emergency amendment at 9 111. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 111. Reg. 2697, effective February 22, 1985; amended at 9 111. Reg. 6235, effective April 19, 1985; amended at 9 111. Reg. 8677, effective May 28, 1985; amended at 9 111. Reg. 9564, effective June 5, 1985; amended at 9 111. Reg. 10025, effective June 26, 1985; emergency amendment at 9 111. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 111. Reg. 12000, 11357, effective June 28, 1985; amended at 9 111. Reg. 12306, effective July 24, 1985; amended at 9 111. Reg. 13998, effective August 5, 1985; amended at 9 111. Reg. 14684, effective September 3, 1985; amended at 9 111. Reg. 15503, effective October 4, 1985; amended at 9 111. Reg. 16312, effective October 11, 1985; amended at 9 111. Reg. 19138, effective December 2, 1985; amended at 9 111. Reg. 19737, effective December 9, 1985; amended at 10 111. Reg. 238, effective December 27, 1985; emergency amendment at 10 111. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 111. Reg. 672, effective January 6, 1986; amended at 10 111. Reg. 1206, effective January 13, 1986; amended at 10 111. Reg. 3041, effective January 24, 1986; amended at 10 111. Reg. 6981, effective April 16, 1986; amended at 10 111. Reg.

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140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)
 140.962 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)
 140.964 Contract Monitoring (Recodified)
 140.966 Transfer of Recipients (Recodified)
 140.968 Validity of Contracts (Recodified)
 140.970 Termination of ICARE Contracts (Recodified)
 140.972 Hospital Services Procurement Advisory Board (Recodified)
 140. TABLE A Medichex Recommended Screening Procedures (Repealed)
 140. TABLE B Health Service Areas
 140. TABLE C Capital Cost Areas
 140. TABLE D Schedule of Dental Procedures
 140. TABLE E Time Limits for Processing of Prior Approval Requests
 140. TABLE F Podiatry Service Schedule
 140. TABLE G Travel Distance Standards
 140. TABLE H Areas of Major Life Activity
 140. TABLE I Staff Time and Allocation for Training Programs (Recodified)
 140. TABLE J HSA Grouping
 140. TABLE K Services Qualifying for 10% Add-On
 140. TABLE L Services Qualifying for 10% Add-On to Surgical Incentive Add-On
 AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (111. Rev. Stat. §9891921, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (111. Rev. Stat. §9891991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)
 SOURCE: Adopted at 3 111. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 111. Reg. 8374, effective July 6, 1982; emergency amendment at 6 111. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 111. Reg. 681, effective December 30, 1982; amended at 7 111. Reg. 7956, effective July 1, 1983; amended at 7 111. Reg. 8308, effective July 1, 1983; amended at 7 111. Reg. 8271, effective July 5, 1983; emergency amendment at 7 111. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 111. Reg. 8540, effective July 15, 1983; amended at 7 111. Reg. 9382, effective July 22, 1983; amended at 7 111. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 111. Reg. 15047, effective October 31, 1983; amended at 7 111. Reg. 17358, effective December 21, 1983;

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7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg.

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17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279,

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Section 140.543(d) (continued)

cost report must be completed with data combined for each licensed facility in the set.

(Source: Amended at 16 Ill. Reg. 12186, effective July 24, 1992)

Section 140.565 ~~Incentive-Payments-for-Quality-Care-~~
~~(Repealed)-Kosher Kitchen Reimbursement~~

Effective July 1, 1991, for reimbursement to skilled and intermediate care facilities with rabbinically approved or certified fully kosher kitchen and food service operations, the Department will determine eligibility according to the following procedures:

a) Qualified Providers

The facility must have a fully kosher kitchen and food service operation that is, at least annually, rabbinically approved or certified and sixty percent (60%) or more of the residents in the facility request kosher foods or food products prepared in accordance with Jewish religious dietary requirements.

b) Enrollment

- 1) The facility must notify the Department, in writing, of its request to be considered for kosher kitchen reimbursement.
- 2) Department staff may visit the facility to determine that the facility has a fully kosher kitchen and that at least sixty percent (60%) of its residents are requesting kosher foods or products.
- 3) The facility will be required to supply a list to the Department of current residents and identify which residents request kosher foods or products and sign a form certifying that the percentage of residents requesting kosher foods or products is at least sixty percent (60%). The rabbi will be required to sign the same form certifying that the fully kosher kitchen is rabbinically approved or certified at least annually.

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Section 140.565(b) (continued)

- 4) Upon receipt of the certification form, the additional reimbursement will be added to the support component of the facility per diem rate and will become effective on the first day of the month subsequent to the month the facility request was received. The support rate ceiling established in Section 140.561(a)(1) may be exceeded as a result of this kosher kitchen rate factor.
- 5) The facility must notify the Department of any change in the percentage of residents requesting kosher foods or products if that number drops below the required sixty percent (60%). Upon notification, the Department will adjust the support component of the facility per diem accordingly.
- 6) Annually, the facility must complete the certification form and submit it to the Department with their cost report.

c) Reimbursement

Based upon food cost reports of the Illinois Department of Agriculture regarding kosher and non-kosher food available in the various regions of the State, the rate structure may be periodically adjusted by the Department but may not exceed the maximum amount authorized under Public Act 86-1464.

(Source: Section repealed at 14 Ill. Reg. 7141, effective April 27, 1990; new Section adopted at 16 Ill. Reg. 12186, effective July 24, 1992)

Section 140.579 Specialized Living Centers

Specialized Living Centers (SLC's) shall divide their reimbursement for capital expenses with the State. The facility shall be reimbursed for actual capital expenses up to a maximum of \$2-\$3.50 per day for services provided on or after October 1, 1991. The balance of the capital reimbursement shall be retained by the State. In addition, for SLC's incurring necessary major capital improvements due to correction of original construction deficiencies or necessary

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: General Information, Regulations, and Definitions

2) Code Citation: 92 Ill. Adm. Code 171

3) Section Numbers: 171.5
171.6
171.1000
Adopted Action: New Section
Renumbered
Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 700-4(a) and 700-9(a)

5) Effective date of rules: July 20, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes

These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.

8) Date filed in agency's principal office: July 7, 1992

9) Notice of proposal published in Illinois Register:

March 13, 1992, 16 Ill. Reg. 3856

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR?

No changes were necessary.

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules: By this Notice of Adopted Amendments, the Department is updating and extending the dates of incorporation by reference of 49 CFR 171 as of October 1, 1990 and including those final rules amended as of November 7, 1990, December 21, 1990, February 28, 1991, September 18, 1991, October 1, 1991, October 2, 1991, November 12, 1991, December 20, 1991 and January 16, 1992. The Department is renumbering Section 171.6 of the Illinois Hazardous Materials Transportation Regulations to Section 171.5. In Section 171.1000(b)(6),

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 140.579 (continued)

major construction improvements mandated by the Department of Public Health (see Section 140.581) the expenses of such improvements will be paid up to a maximum of \$2.00 per day.

(Source: Amended at 16 Ill. Reg. 12186, effective July 24, 1992)

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NOTICE OF ADOPTED AMENDMENTS

the Department is deleting the dash and inserting the word "through." Section 171.1000(b)(9) is deleted.

A review of the federal regulations adopted since October 1, 1990, to the new dates of incorporation by reference, indicates there are certain changes made by US DOT not reflected in the Department's regulations. This rulemaking does have the effect of making substantive changes in the Department's regulations to bring Part 171 in line with the federal regulations. The following is a summary of the changes in US DOT regulations which are included in this rulemaking.

By this rulemaking, the Department's regulations will incorporate changes made to Part 171 by US DOT in rulemaking Dockets:

HM-145I [55 FR 46794 (November 7, 1990)]
HM-181 [55 FR 52402 (December 21, 1990)]
HM-207 [56 FR 8616 (February 28, 1991)]
HM-181 [56 FR 47158 (September 18, 1991)]
HM-181 [56 FR 49830 (October 1, 1991)]
HM-198A [56 FR 49980 (October 2, 1991)]
HM-23 [56 FR 57560 (November 12, 1991)]
HM-181 [56 FR 66124 (December 20, 1991)]
HM-139H [57 FR 1874 (January 16, 1992)]

Docket HM-145I (November 7, 1990) Amended the regulations by revising the "List of Hazardous Substances and Reportable Quantities" which appears in the appendix of 49 CFR 172.101. The words "E P toxicity" were removed and the word "toxicity" were added in Section 171.11.

Docket HM-181 (December 21, 1990) Amended the regulations by making significant changes to the Hazardous Materials Regulations with regard to the format of the regulations, the classification of materials, the hazard communication provisions, and the packaging requirements. Part 171 contains definitions, reporting requirements, a listing of matter incorporated by reference and procedural requirements. The International System of Units ("SI" or metric units) was added and incorporated as the regulatory standard in Section 171.6. A title revision was made in Section 171.7, it now reads "Reference Materials." This section also updated and revised the present material incorporated by reference in an easy to use format. U.N. terminology was incorporated, some new definitions were added, other definitions were revised or deleted in Section 171.8. Transitional packaging requirements were revised in Section 171.14.

Docket HM-207 (February 28, 1991) Amended the regulations to provide a nonsubstantive change by removing a date which has already passed.

Docket HM-181 (September 18, 1991) Modified the transition dates previously established in Section 171.14 by docket HM 181 (December 21, 1990).

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Docket HM-181 (October 1, 1991) Further extended the transition dates in Section 171.14.

Docket HM-198A (October 2, 1991) Amended the regulations to regulate materials which pose a hazard due to their being offered for transportation or transported at elevated temperatures.

Docket HM-23 (November 12, 1991) Amended the regulations to require regular inspection and periodic requalification of acetylene cylinders.

Docket HM-181 (December 20, 1991) Amended the final rule of December 21, 1990 to make further changes in response to petitions for reconsideration received to the final rule.

Docket HM-139(H) (January 16, 1992) Amended the regulations to include transportation of air bag inflators and air bag modules in the hazardous materials regulations rather than under the exemptions program.

16) Information and questions regarding these adopted rules shall be directed to:

By U.S. Mail:

Ms. Mary Roseberry
Regulations Unit
Illinois Department of Transportation
Division of Traffic Safety
P. O. Box 19212
Springfield, Illinois 62794-9212
(217) 785-3064

By Messenger or Inter-Agency Mail

DOT Annex Building
3215 Executive Park Drive
Commercial Vehicle Safety; 3rd Floor
Springfield

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENT(S)

or other appurtenances that prevent the marking and placard from being properly placed and visible.

- e) Formulated agricultural chemicals not listed in subsection a or c above which are offered for transportation in less-than-case lot quantities, or when repackaged, are not subject to 92 Ill. Adm. Code 172, Subpart D and the outside specification packaging requirements of Part 173 if all of the following conditions are met:
- 1) Inside packagings are enclosed in strong outside packagings. Inside liquid packagings are cushioned, if necessary, to prevent breakage and leakage;
 - 2) Each inside packaging does not exceed 2 1/2-gallons capacity for liquids or 25 pounds for dry materials;
 - 3) Gross weight of less-than-case or repackaged lots is not over 100 pounds in each vehicle;
 - 4) Transportation is authorized only by private motor vehicle between a final distribution point and the ultimate point of application, if that distance does not exceed one hundred miles.
- f) Formulated liquid agricultural chemicals in specification packagings of 55 gallons capacity, or less, with closures manifolded to a closed mixing system and equipped with positive dry disconnect devices may be transported by a private motor carrier between a final distribution point and an ultimate point of application or loading aboard on aircraft for aerial application.

(Source: Renumbered from Section 171.6 at 16 Ill. Reg. 12208, effective July 20, 1992)

Section 171.6 Agricultural Exception (Renumbered)

(Source: Renumbered to Section 171.5 at 16 Ill. Reg. 12208, effective July 20, 1992)

Section 171.1000 Incorporation by Reference of 49 CFR 171

- a) As Part 171 of the Illinois Hazardous Materials Transportation Regulations, the Department incorporates the following sections of 49 CFR 171 by reference, as those sections of the federal

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hazardous materials transportation regulations were in effect on October 1, 1990, as amended at 55 FR 46794, November 7, 1990; as amended at 55 FR 52402, December 21, 1990; as amended at 56 FR 8616, February 28, 1991; as amended at 56 FR 47158, September 18, 1991; as amended at 56 FR 49830, October 1, 1991; as amended at 56 FR 49980, October 2, 1991; as amended at 56 FR 57560, November 12, 1991; as amended at 56 FR 66124, December 20, 1991; as amended at 57 FR 1874, January 16, 1992 subject only to the exceptions in subsection (b) of this Section. No later amendments to or editions of those sections of 49 CFR 171 of the federal regulations are incorporated.

171.6	Units of Measure
171.7	Matter Incorporated by Reference <u>Referenced Material</u>
171.8	Definitions and Abbreviations
171.9	Rules of Construction
171.11	Use of ICAO Technical Instructions
171.12	Import and Export Shipments
171.12a	Canadian Shipments and Packagings
171.14	Specification-Markings <u>Transitional Provisions for Implementing Requirements Based on the UN Recommendations</u>
171.18	Continuation of Effectiveness of Existing Bureau of Explosives
171.19	Approvals or Authorizations Issued by the Bureau of Explosives
171.20	Submission of Examination Reports

- b) The following interpretations of, additions to and deletions from the above incorporated sections of 49 CFR 171 shall apply for purposes of this Part 171 of the Illinois Hazardous Materials Transportation Regulations.

- 1) All references to "this part" in the incorporated federal regulations shall mean Part 171 of the Illinois Hazardous Materials Transportation Regulations.
- 2) All references to "this chapter" or "this subchapter" in the incorporated federal regulations shall mean 92 Ill. Adm. Code: Chapter I, Subchapter c.
- 3) All references to a section of the regulations in the incorporated federal regulations shall be read to refer to that Section in the Illinois Hazardous Materials Transportation Regulations.

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NOTICE OF EMERGENCY RULES

- 1) Heading of the Part: Wholesale Drug Distribution Licensing Act
- 2) Code Citation: 68 Ill. Adm. Code 1510
- 3) Section Numbers: Emergency Action:

1510.10	New Section
1510.20	New Section
1510.30	New Section
1510.50	New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, par. 8301-40.

5) Effective Date of Rules: July 17, 1992

6) If these emergency Rules are to expire before the end of the 150-day period, please specify the date on which it will expire: These emergency Rules are to expire when the proposed Rules are adopted.

7) Date Filed in Agency's Principal Office: July 21, 1992.

8) Reason for Emergency: Public Act 87-594 requires the Department of Professional Regulation to adopt Rules no later than September 14, 1992, setting detailed standards for licensure of wholesale drug distributors. The Act also requires the appointment of an advisory committee and prohibits the Department from promulgating rules until they are reviewed by the Committee. The Committee met for the first time on May 20, 1992. To protect the health, safety and welfare of citizens, the Federal Prescription Drug Marketing Act provides that no person or entity may engage in the wholesale distribution of human prescription drugs in any state unless the person or entity is licensed by that state in accordance with federally prescribed minimum standards, terms and conditions. This rulemaking will allow the Department to start processing license applications.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking sets detailed standards and procedures for obtaining an Illinois license as a wholesale drug distributor.

Section 1510.20 details the application process.

Section 1510.30 sets requirements for employees of licensed wholesale drug distributors.

Minimum requirements for the storage and handling of prescription drugs and for the establishment and maintenance of prescription drug distribution records are set forth in Section 1510.50.

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4) All references to Part 176 or to sections therein shall be read to refer to that part or sections in the federal regulations.

5) All references to shipments of hazardous materials by air, water and rail are incorporated for reference purposes only for those persons contemplating intermodal movements of hazardous materials.

6) All references to "these regulations" refers to the Illinois Hazardous Materials Transportation Regulations, 92 Ill. Adm. Code 102 through 180 and 397.

7) All references to a "settlement agreement", in these regulations, means a written understanding between the Department and the person being charged.

8) The following paragraphs to Section 171.7 "Matter incorporated by reference" in 49 CFR are deleted and not incorporated: 171.7(d)(2); 171.7(d)(21).

9) Provisions of Section 171.2a as it appears to affect Emergency Response Information Booklet-HM-126 [64-FR 27138]-[June 27, 1992]; can be done now; but the enforcement date does not become effective until April 2, 1992.

(Source: Amended at 16 111. Reg. 12208, effective July 20, 1992)

DEPARTMENT OF PROFESSIONAL REGULATION

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10) Are there any proposed Amendments to this Part pending: Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1510.10	New Section	16 Ill. Reg. 12104
1510.20	New Section	16 Ill. Reg. 12104
1510.30	New Section	16 Ill. Reg. 12104
1510.40	New Section	16 Ill. Reg. 12104
1510.50	New Section	16 Ill. Reg. 12104
1510.60	New Section	16 Ill. Reg. 12104
1510.70	New Section	16 Ill. Reg. 12104

11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government.

12) Information and questions regarding these Rules shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0810

The full text of the Emergency Rules begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF EMERGENCY RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1510
WHOLESALE DRUG DISTRIBUTION LICENSING ACT

<u>Section</u>	<u>Definitions</u>
1510.10	Definitions
EMERGENCY	
1510.20	Application for Licensure
EMERGENCY	
1510.30	Personnel
EMERGENCY	
1510.50	Minimum Requirements for the Storage and Handling of Prescription Drugs and for the Establishment and Maintenance of Prescription Drug Distribution Records
EMERGENCY	

AUTHORITY: Implementing the Wholesale Drug Distribution Licensing Act (Ill. Rev. Stat. 1991, ch. 111, par. 8301-1 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)).

SOURCE: Emergency rules adopted at 16 Ill. Reg. 12116, effective July 17, 1992 for a maximum of 150 days.

Section 1510.10 Definitions
EMERGENCY

"Act" means the Wholesale Drug Distribution Licensing Act (Ill. Rev. Stat. 1991, ch. 111, Par. 8301-1 et seq.).

"Blood" means whole blood collected from a single donor and processed either for transfusion or further manufacturing.

"Blood component" means that part of blood separated by physical or mechanical means.

"Board" means the State Board of Pharmacy.

"Department" means the Department of Professional Regulation.

"Director" means the Director of the Department of Professional Regulation.

"Drug sample" means a unit of a prescription drug that is not intended to be sold and is intended to promote the sale of the drug.

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- 5) The name(s) of the owner and/or operator of the entity, including:
 - A) The name of the person, if a person;
 - B) The name of each partner and the name of the partnership, if a partnership;
 - C) The name and title of each corporate officer and director, the corporate names, the name of the state where incorporated and the name of the parent company, if any, if a corporation;
 - D) The full name of the sole proprietor and the name of the business entity, if a sole proprietorship.
- 6) The fee set forth in Section 35 of the Act.
- b) The Department shall consider the following factors in determining eligibility for licensure of persons who engage in the wholesale distribution of prescription drugs:
 - 1) Any conviction of the applicant under any federal, state or local laws relating to drug samples, wholesale or retail drug distribution, or distribution of controlled substances;
 - 2) Any felony conviction of the applicant under federal, state or local laws;
 - 3) The applicant's past experience in the manufacture or distribution of prescription drugs, including controlled substances;
 - 4) The furnishing by the applicant of false or fraudulent material in any application made in connection with drug manufacturing or distribution;
 - 5) Suspension or revocation by federal, state or local government of any license currently or previously held by the applicant for the manufacture or distribution of any drugs, including controlled substances;
 - 6) Compliance with licensing requirements under previously granted licenses, if any;
 - 7) Compliance with the requirements to maintain and/or make available to the state licensing authority or to federal, state or local law enforcement officials those records required to be maintained by wholesale drug distributors; and

DEPARTMENT OF PROFESSIONAL REGULATION
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- B) Any other factors or qualifications the Department considers relevant to and consistent with public health and safety.
- c) A separate license is required for each facility directly or indirectly owned or operated by the same business that distributes prescription drugs.
- d) When the address or name of a facility is changed, the licensee shall be required to apply for a new license and pay a \$100 fee. If the facility is relocated, the licensee shall also cause the facility to pass an inspection, meeting all requirements of the Act and this Section.
- e) Changes in any information in this Section shall be submitted to the Department within 45 days after such change.
- f) The Department reserves the right to deny a license to an applicant if it determines that the granting of such a license would not be in the public interest.
- g) The applicant shall retain on premises a copy of the application and check to the Department to serve as a temporary license prior to the issuance of a certificate of registration as a Wholesale Drug Distributor. This is valid for 90 days.

Section 1510.30 Personnel
EMERGENCY

The licensed wholesale distributor shall employ personnel with the education, training and experience necessary to safely and lawfully engage in the wholesale distribution of drugs. As a condition for receiving and retaining a wholesale drug distributor license, the licensee shall require each person employed in any prescription drug wholesale distribution activity to have education, training and experience, or any combination thereof, sufficient for that person to perform the assigned functions in such a manner as to provide assurance that the drug product quality, safety and security will at all times be maintained as required by law.

Section 1510.50 Minimum Requirements for the Storage and Handling of Prescription Drugs and for the Establishment and Maintenance of Prescription Drug Distribution Records.
EMERGENCY

The following are minimum requirements for the storage and handling of prescription drugs, and for the establishment and maintenance of prescription drug distribution records by wholesale drug distributors and their officers, agents, representatives and employees:

- a) Facilities. All facilities at which prescription drugs are stored, warehoused, handled, held, offered, marketed or displayed shall:

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- 2) Appropriate manual, electromechanical, or electronic temperature and humidity recording equipment, devices and/or logs shall be utilized to document proper storage of prescription drugs.
- 3) The recordkeeping requirements in subsection (f) of this Section shall be followed for all stored drugs.

d) Examination of materials.

- 1) Upon receipt, each outside shipping container shall be visually examined to identify the product and to prevent the acceptance of contaminated prescription drugs or prescription drugs that are otherwise unfit for distribution. This examination shall be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.
- 2) Each outgoing shipment shall be carefully inspected to identify the prescription drug products and to ensure that there is no delivery of prescription drugs that have been damaged in storage or held under improper conditions.
- 3) The recordkeeping requirements in paragraph (f) of this Section shall be followed for all incoming and outgoing prescription drugs.

e) Returned, damaged and outdated prescription drugs.

- 1) Prescription drugs that are outdated, damaged, deteriorated, misbranded or adulterated shall be quarantined and physically separated from other prescription drugs until they are destroyed or returned to their supplier.
- 2) Any prescription drugs whose immediate or sealed outer or sealed secondary containers have been opened or used shall be identified as such, and shall be quarantined and separated from other prescription drugs until they are either destroyed or returned to the supplier.
- 3) If the conditions under which a prescription drug has been returned cast doubt on the drug's safety, identity, strength, quality or purity, the conditions under which the drug has been returned shall be determined whether the conditions under which a drug has been returned cast doubt on the drug's safety, identity, strength, quality or purity. In determining whether the conditions under which a drug has been returned cast doubt on the drug's safety, identity, strength, quality or purity, the wholesaler drug distributor shall consider, among other things, the conditions under which the drug has been held, stored or shipped before or during its return and the condition of the drug and its container, carton or labeling, as a result of storage or shipping.

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- 1) Be of suitable size and construction to facilitate cleaning, maintenance and proper operations;
- 2) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment and security conditions;
- 3) Have a quarantine area for storage of prescription drugs that are outdated, damaged, deteriorated, misbranded or adulterated, or that are in immediate or sealed secondary containers that have been opened;
- 4) Be maintained in a clean and orderly condition; and
- 5) Be free from infestation by insects, rodents, birds or vermin of any kind.

b) Security. All facilities used for wholesale drug distribution shall:

- 1) Be secure from unauthorized entry;
- A) Access from outside the premises shall be kept to a minimum and be well-controlled.
- B) The outside perimeter of the premises shall be well-lighted.
- C) Entry into areas where prescription drugs are held shall be limited to authorized personnel.
- 2) Be equipped with an alarm system to detect entry after hours; and
- 3) Be equipped with a security system that will provide suitable protection against theft and diversion. When appropriate, the security system shall provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

c) Storage. All prescription drugs shall be stored at appropriate temperatures and under appropriate conditions in accordance with requirements, if any, in the labeling of such drugs, or with requirements in the current edition of an official compendium.

- 1) If no storage requirements are established for a prescription drug, the drug may be held at "controlled" room temperature, as defined in an official compendium, to help ensure that its identity, strength, quality and purity are not adversely affected.

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- 4) The recordkeeping requirements in subsection (f) of this Section shall be followed for all outdated, damaged, deteriorated, misbranded or adulterated prescription drugs.
- f) Recordkeeping.
- 1) Wholesale drug distributors shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of prescription drugs. These records shall include the following information:
- A) The source of the drugs, including the name and principal address of the seller or transferor, and address of the location from which the drugs were shipped;
- B) The identity and quantity of the drugs received and distributed or disposed of; and
- C) The dates of receipt and distribution or other disposition of the drugs.
- 2) Inventories and records shall be made available for inspection and photocopying by drug compliance investigators or any authorized official of any governmental agency charged with enforcement of this Part for a period of 2 years following disposition of the drugs.
- 3) Records described in this Section that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically retrievable shall be made available for inspection within 2 working days of a request by an authorized official of any federal, state and local agencies charged with enforcement of this Part.
- g) Written policies and procedures. Wholesale drug distributors shall establish, maintain and adhere to written policies and procedures, which shall be followed for the receipt, security, storage, inventory and distribution of prescription drugs, including policies and procedures for identifying, recording and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. Wholesale drug distributors shall include in their written policies and procedures the following:
- 1) A procedure whereby the oldest approved stock of a prescription drug product is distributed first. The procedure may permit deviation from this requirement if such deviation is temporary and appropriate.

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- 2) A procedure to be followed for handling recalls and withdrawals of prescription drugs. Such procedure shall be adequate to deal with recalls and withdrawals due to:
- A) Any action initiated at the request of the Food and Drug Administration or other federal, state or local law enforcement or other government agency, including the Department;
- B) Any voluntary action by the manufacturer to remove defective or potentially defective drugs from the market; or
- C) Any action undertaken to promote public health and safety by replacing of existing merchandise with an improved product or new package design.
- 3) A procedure to ensure that wholesale drug distributors prepare for, protect against and handle any crisis that affects security or operation of any facility in the event of strike, fire, flood or other natural disaster or other situations of local, State or national emergency.
- 4) A procedure to ensure that any outdated prescription drugs shall be segregated from other drugs and either returned to the manufacturer or destroyed. This procedure shall provide for written documentation of the disposition of outdated prescription drugs. This documentation shall be maintained for 2 years after disposition of the outdated drugs.
- h) Responsible persons. Wholesale drug distributors shall establish and maintain lists of officers, directors, managers and other persons in charge of wholesale drug distribution, storage and handling, including a description of their duties and a summary of their qualifications.
- i) Compliance with federal, state, and local laws. Wholesale drug distributors shall operate in compliance with applicable federal, state and local laws and regulations.
- 1) Wholesale drug distributors shall permit drug compliance investigators of the Department and authorized federal, state and local law enforcement officials to enter and inspect upon presentation of appropriate identification, their premises and delivery vehicles, and to audit their records and written operating procedures, at reasonable times and in a reasonable manner, to the extent authorized by law.

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NOTICE OF EMERGENCY AMENDMENTS

Information and questions regarding this amendment shall be directed to:

Nancy G. Easum
Deputy General Counsel
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-6250

The full text of the Emergency Amendment begins on the next page:

NOTICE OF EMERGENCY AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1030
ISSUANCE OF LICENSES

Section	
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License
	EMERGENCY
1030.12	Driver's License Medical Advisory Board
1030.15	Cite for Re-examination
1030.20	Classification of Drivers-References
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers
1030.65	Instruction Permits
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lens(es)
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts/Road Test
1030.88	Exemption of Facility Administered Road Test
1030.89	Temporary Licenses
1030.90	Requirement For Photograph and Signature of Licensee on Driver's License
1030.91	Disabled Person/Handicapped Identification Card
1030.92	Restrictions
1030.93	Restricted Local Licenses
1030.94	Duplicate or Corrected Driver's License or Instruction Permit
1030.95	Diplomatic and Consular Licenses
1030.100	Anatomical Gift Donor
1030.110	Emergency Medical Information Card
1030.115	Change-of-Address
1030.120	Issuance of a Probationary License
1030.130	Grounds for Cancellation of a Probationary License
Appendix A	Questions Asked of a Driver's License Applicant
Appendix B	Acceptable Identification Documents

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 198791, ch. 95 1/2, pars. 6-100 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 198791, ch. 95 1/2, par. 2-104(b)) and Section 6-109(b) of the Illinois Driver Licensing Law

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of the Illinois Vehicle Code (Ill. Rev. Stat. 1989), ch. 95 1/2, par. 6-109(b)).

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendments at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days.

Section 1030.12 Driver's License Medical Advisory Board

EMERGENCY

a) For purposes of this section, the following definitions shall apply:

- 1) "Board" - the Driver License Medical Advisory Board.
- 2) "Competent Medical Specialist" - a person licensed under the Medical Practice Act, or similar law of another jurisdiction, to practice medicine in all of its branches (Ill. Rev. Stat., 1991, Ch. 111, Section 4400 et seq.).
- 3) "Department" - the Department of Driver Services of the Office of the Secretary of State.
- 4) "Secretary" - the Illinois Secretary of State.

b) The Secretary shall appoint a Driver's License Medical Advisory Board consisting of not less than nine members and shall establish the term of each member. The Board shall select a member to serve as chairman. The purpose of this Board shall be to review medical cases

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and provide a recommendation as to whether or not an individual is medically fit to safely operate a motor vehicle.

c) When necessary to determine an individual's eligibility for a driver's license, the Department shall refer cases to the Board for review. The types of cases reviewed by the Board shall include, but not be limited to:

- 1) Physical disorders characterized by momentary or prolonged lapses of consciousness or control;
- 2) Disorders and impairments affecting the cardiovascular functions;
- 3) Musculoskeletal disabilities and disorders affecting musculoskeletal functions;
- 4) Vision and disorders affecting vision;
- 5) The use of or dependence upon alcohol or drugs;
- 6) The extent to which compensatory aids and devices may be utilized.

d) The Board shall review cases received from the Department and make medical evaluations and recommendations concerning an individual's physical condition and whether this condition will impair or interfere with the safe operation of a motor vehicle. These recommendations shall be forwarded to the Department for consideration after the individual has been given an opportunity to contest the Board's action.

e) The Board may require that an individual submit to a physical examination by a competent medical specialist when additional information is needed by the Board. The Board may also request supplemental medical records from the individual. If the individual refuses to cooperate with the Board's request, he shall be considered unqualified to safely operate a motor vehicle.

f) The affected person shall be notified of the Board's decision. Upon receipt of that decision, an individual may request a hearing to contest the Board's determination. Failure to request a hearing shall result in the Board's determination becoming final.

g) If an individual requests a hearing before the Board, a hearing shall be held before not less than three Board members. The individual may present written and oral testimony.

h) All information furnished to the Board, the result of all examinations made or requested by the Board, and all medical findings

SECRETARY

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of the Board shall be confidential and used only by the Board for the purposes set forth in this Section. This confidential information shall only be released pursuant to a court order, except that the information shall be released to the Department when necessary for the purposes outlined in this Section.

(Source: Emergency amendments at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days)

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Nos.: Peremptory Action:
125.390 Amended
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316); the Federal Meat and Poultry Inspection Act (21 U.S.C.A. 454); 57 FR 28083 (1992).
- 5) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316).
- 6) Effective Date: July 24, 1992
- 7) A Complete Description of the Subjects and Issues Involved:

In order to maintain an "equal to" status with the federal poultry inspection programs as required by the Federal Poultry Inspection Act, and in compliance with Section 16 of The Meat and Poultry Inspection Act, amendments to the federal poultry inspection rules are being adopted.

The Food Safety and Inspection Service is amending the Federal poultry products inspections regulations to provide that poultry products containing pork as an ingredient are subject to the same trichinae treatment requirements as those specified in the Federal meat inspection regulations for meat products consisting of mixtures of pork and other ingredients. The rule eliminates inconsistencies in the meat and poultry products inspection regulations regarding trichinae treatment measures.

Specifically this pertains to 9 CFR Section 381.147 of the Federal poultry products inspection regulations. The effective date is July 24, 1992.

According to the Food Safety and Inspection Service, this amendment does not have a significant economic impact on a substantial number of small entities.
- 8) Does this rulemaking contain an automatic repeal date? No

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DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENT

- 125.290 Transportation
- 125.295 Imported Products
- 125.300 Special Services Relating to Meat and Other Products
- 125.305 Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

- | | |
|---------|--|
| Section | |
| 125.310 | Application of Inspection |
| 125.320 | Facilities for Inspection |
| 125.330 | Sanitation |
| 125.340 | Operating Procedures |
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| 125.360 | Post-Mortem Inspection; Disposition of Carcasses and Parts |
| 125.370 | Handling and Disposal of Condemned or Inedible Products at Official Establishments |
| 125.380 | Labeling and Containers |
| 125.390 | Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements |
| 125.400 | Definitions and Standards of Identity or Composition |
| 125.410 | Transportation; Sale of Poultry or Poultry Products |

AUTHORITY: Implementing and authorized by The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16).

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg.

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18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992.

SUBPART C: POULTRY INSPECTION

Section 125.390 Entry of Articles Into Official Establishments;

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9) The Department does not approve new substances to be used on poultry or in poultry products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used if they will not adulterate the poultry and/or poultry product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.

h) Ready-to-heat-and-eat poultry or stued ready-to-roast poultry may be moved from an official establishment prior to freezing in accordance with the provisions of Section 125.330 (specifically the incorporated language in 9 CFR 381.66(f)(3)).

i) Any method of cleaning immediate containers used for the holding of poultry and poultry products shall be approved if such method is in compliance with the sanitation requirements (see Section 125.330).

j) Canned poultry products which may be processed without steam-pressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

k) The inspector shall permit lots of canned poultry products to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9 CFR 381.309.

l) Distinctants which may be used in an official establishment shall be those products on the "List of Proprietary Substances and Nonfood Compounds" as adopted by the Department in Section 125.20.

(Source: Peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992)

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Processing Inspection and Other Reinspections; Processing Requirements

a) The Department incorporates by reference 9 CFR 381.145(b) through 381.148, 381.150 through 381.151, 381.200, 381.300 through 381.311 (1990; 55 FR 5976, effective March 23, 1990; 55 FR 23070, effective July 6, 1990; 56 FR 65179, effective January 15, 1992, 57 FR 28083, effective July 24, 1992).

b) No poultry or poultry product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, the federal inspection legend, or is exempt from inspection as stated in Section 125.110. However, poultry or poultry products imported into the United States may be transported to an inspection site in accordance with the provisions of 9 CFR 381.200 for reinspection.

c) Poultry and poultry products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.360 and, unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any poultry and/or poultry product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected and passed by the inspector.

d) The official establishment shall maintain an inventory of non-poultry items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.

e) Reinspections of poultry and/or poultry products within the official establishment shall be performed through the use of a random digit table.

f) Poultry feet shall be approved for processing for human food in accordance with the procedures set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

NOTICE PURSUANT TO

ILL. REV. STAT. 1988 SUPP., CH. 111½, PAR. 1007.2(b)

Section 17.5 of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111½, par. 1013.3) requires the Board to adopt regulations which are "identical in substance" USEPA drinking water rules adopted pursuant to Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the Safe Drinking Water Act (P.L. 93-523; 42 USC 300g-1(b), 300g-3(c), 300g-6(a) & 300j-4(a)). These rules are contained in 35 Ill. Adm. Code 611. The Board proposed amendments to these rules on March 11, 1992 in R91-3. The proposal appeared at 16 Ill. Reg. 5582, April 10, 1992.

On June 23, 1990, in R91-3, the Pollution Control Board entered the following Order pursuant to Ill. Rev. Stat. 1991 Supp., ch. 111½., par. 1007.2(b):

Section 17.5 of the Environmental Protection Act (Act) requires the Board to adopt regulations which are "identical in substance" with USEPA drinking water rules adopted pursuant to Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the Safe Drinking Water Act (P.L. 93-523), as amended (SDWA). The term "identical in substance" has been defined in Section 7.2 of the Act. Section 7.2(b) of the Act requires the Board to adopt a rule within one year of adoption of federal rule, unless the Board extends the time based on a finding that the time is insufficient and stating the reasons. It appears that adoption of the regulations in this docket, already once delayed (as explained below), must be further delayed. The Board is therefore entering this Order to extend the time.

The USEPA SDWA rules are located at 40 CFR 141 through 143. These have been the subject of three recent amendments: 56 Fed. Reg. 636 (Jan. 8, 1991), 56 Fed. Reg. 1556 (Jan. 15, 1991) and 56 Fed. Reg. 3578 (Jan. 30, 1991), in addition to two subsequent, closely-related federal actions, at 57 Fed. Reg. 1850 (Jan. 15, 1992) and 57 Fed. Reg. 24744 (June 10, 1992). The federal amendments of January 8, 1991, January 15, 1991, January 15, 1992, and June 10, 1992 relate to total coliform monitoring. The federal amendments of January 30, 1991 are the federal Phase II rules, instituting maximum contaminant levels and monitoring requirements for numerous criteria.

By our order of January 9, 1992, the Board found that

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POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

delays in preparing draft text of a proposed rule warranted an extension of time. A Notice of Public Information appeared in the Illinois Register on February 14, 1992, at 16 Ill. Reg. 2708. That notice explained the delay and estimated that the Board would prepare a Proposal for Public Comment by March 1, 1992 and complete this rulemaking by June 4, 1992. The Board adopted a Proposal for Public Comment on March 11, 1992, which appeared at 16 Ill. Reg. 5582, on April 10, 1992.

Because of unusual difficulties in adapting the federal SDWA regulations to the Illinois program, further delay in adopting final rules is unavoidable in this matter. First, the Board has received numerous public comments in response to this proposal and is engaged in an extensive review of the proposal as a result. Second, this is a complex rulemaking, and clarification of numerous issues by USEPA is necessary to assuring the resulting rules are identical in substance to the federal regulations. The Agency and the Board have addressed questions to USEPA for this purpose. The Board received draft answers in June to questions addressed to USEPA in November, 1991, and answers to questions addressed in September, 1991 are still outstanding. The unusual posture of this proceeding and the need to afford USEPA more time to respond with clarifications will result in additional delay in adopting these rules. The Board projects that we will be able to complete Board action on this rulemaking by October 1, 1992, for subsequent publication in the Illinois Register.

For the foregoing reasons, the Board hereby finds that an extension of time is necessary.

Pursuant to Section 7.2(b) of the Act, the Board will submit a copy of the text of this order for publication in the Illinois Register as expeditiously as possible.

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JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

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9/2/92	<u>Department of Transportation, Motor Carrier Safety Regulations: General (92 Ill Adm Code 390)</u>	5/22/92 16 Ill Reg 7815	8/11/92
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9/2/92	<u>Department of Labor, Deductions from Wages (56 Ill Adm Code 300)</u>	3/27/92 16 Ill Reg 4626	8/11/92
9/3/92	<u>Illinois Educational Labor Relations Board, Unfair Labor Practice Proceedings (80 Ill Adm Code 1120)</u>	4/10/92 16 Ill Reg 5554	8/11/92

PROCLAMATION

92-330
DR. MORTIMER J. ADLER DAY

Whereas, Dr. Mortimer J. Adler has challenged American educators for more than 70 years; and

Whereas, at the University of Chicago, he helped introduce courses based on the Great Books of the Western World; and

Whereas, Dr. Adler is chairman of the board of directors of the Encyclopedia Britannica publishing company, and has written some 13 books in just the last 15 years; and

Whereas, Dr. Adler was instrumental in the development of the "Paidea Proposal," which called for a re-examination of the American Education system; and

Whereas, on December 2, 1992, Dr. Adler will celebrate his 90th birthday;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 2, 1992, as Dr. Mortimer J. Adler Day.

Issued by the Governor July 9, 1992.

Filed with the Secretary of State July 16, 1992.

92-331
BATON TWIRLING WEEK

Whereas, nearly one-half million American boys and girls actively participate in baton twirling; and

Whereas, baton twirling helps boost the confidence of these young people; and

Whereas, baton twirlers lend color and inspiration to our community; and

Whereas, baton twirling plays an important role in children's hospitals as a unique and effective method of therapy; and

Whereas, champion twirlers from all over the United States will gather at the University of Notre Dame July 21-25 for a colorful pageant with the theme "America's Youth on Parade";

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 19-27, 1992, as BATON TWIRLING WEEK in Illinois.

Issued by the Governor July 13, 1992.

Filed with the Secretary of State July 16, 1992.

92-332
DENTAL HYGIENE WEEK

Whereas, in the practice of dentistry, the dental hygienist is an essential member of today's dental team and provides the knowledge necessary for proper oral hygiene care. The dental hygienist is a college-educated, licensed professional who is skilled in performing a complete oral prophylaxis and educating the patients regarding the state of their oral health; and

Issued by the Governor July 13, 1992. Filed with the Secretary of State July 16, 1992.

**92-335
MICHAEL JORDAN FOUNDATION DAY**

Whereas, Michael Jordan created the Michael Jordan Foundation as a means of repaying the community and helping those who are less fortunate; and
Whereas, the inaugural Michael Jordan Foundation Gala Dinner is being held September 19, 1992, at the Hotel Nikko in Chicago; and
Whereas, celebrities from the sports world will attend this charitable event; and
Whereas, proceeds from the dinner will benefit Special Olympics, United Negro College Fund, Midwest Association for Sickle Cell Anemia, Starlight Foundation, Ronald McDonald Children's Charities, Starlight Foundation, Best Buddies of America, Make-A-Wish Foundation, C.Y.C.L.E., Kid Safe, Austin Special School, Chicago Wheelchair Bulls, Off The Street Club, Hales Franciscan High School, Centers for New Horizons, Inner City Impact, Greenhouse Shelter, Miles Square Community Center, New City YMCA, Olive Harvey Middle School, St. Jude's Children's Hospital, Saint Augustine's College, The TAAD Center, Xavier University, Variety Club, and Windows of Opportunity; and
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 19, 1992, as THE MICHAEL JORDAN FOUNDATION DAY in Illinois.

Issued by the Governor July 13, 1992. Filed with the Secretary of State July 16, 1992.

93-336

NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS WEEK

Whereas, the engineering community of our state has provided a wealth of innovation in the fields of agriculture, industry, transportation, construction, and education; and
Whereas, increasingly, we must depend upon these professional men and women to find technological solutions to the problems we will face in the future; and
Whereas, the National Society of Professional Engineers is holding its 1992 annual meeting in Oak Brook to stay up-to-date on the latest innovations and technologies;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 18-25, 1992, as NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS WEEK in Illinois.
Issued by the Governor July 13, 1992. Filed with the Secretary of State July 16, 1992.

Whereas, the prophylactic and educational services of the dental hygienist are essential in the dental office, as well as in public health facilities, institutions, private organizations, and research facilities, to provide for the best possible oral health care of the consumer; and
Whereas, more than 1,000 registered dental hygienists are members of the 12 local components of the Illinois Dental Hygienists' Association. Through the association, the hygienists work to improve the dental health of residents of this state and to further their own education and professionalism in serving the public;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 18-24, 1992, as DENTAL HYGIENE WEEK in Illinois, and urge citizens to become familiar with and appreciate the practice of dental hygiene.
Issued by the Governor July 13, 1992. Filed with the Secretary of State July 16, 1992.

**92-333
HOME DAY CARE PROVIDER WEEK**

Whereas, the Illinois State Home Day Care Association is promoting Home Day Care Provider Week September 7-14, 1992; and
Whereas, the event will serve as an avenue to honor valuable home day care providers in our state; and
Whereas, the observance will also provide the public with a better understanding of day care homes, help parents make an educated choice about care for their children, and inform prospective home day care providers;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 7-13, 1992, as HOME DAY CARE PROVIDER WEEK in Illinois.
Issued by the Governor July 13, 1992. Filed with the Secretary of State July 16, 1992.

**92-334
HUG-A-BEAR DAY**

Whereas, Telephone Pioneers of America, a communication worker's volunteer group, was founded November 2, 1911, in Boston, Massachusetts; and
Whereas, this service organization has a membership of 810,000 volunteers, 13,000 of which are Illinois citizens; and
Whereas, Telephone Pioneers of America has been answering the call of those in need for more than 80 years and has designated November 8, 1992, as Hug-A-Bear Sunday to promote the use of the Hug-A-Bear, a stuffed animal given to children in trauma;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 8, 1992, as HUG-A-BEAR DAY in Illinois in recognition of this worthwhile project.

92-337

**NEUROPSYCHIATRIC INSTITUTE OF THE UNIVERSITY
OF ILLINOIS AT CHICAGO COLLEGE OF MEDICINE WEEK**

Whereas, the Neuropsychiatric Institute of the University of Illinois at Chicago College of Medicine is dedicated to treating diseases affecting the brain and nervous system through the practice of neurology, neurosurgery, and psychiatry; and

Whereas, the institute is committed to educating future physicians and health care professionals to improve the quality of health care in our state, nation, and world; and

Whereas, the Neuropsychiatric Institute has demonstrated leadership in research for medical and technological advances to ensure optimal patient care and to improve the quality of life for our citizens; and

Whereas, 1992 marks the 50th anniversary of the institute;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 20-26, 1992, as NEUROPSYCHIATRIC INSTITUTE OF THE UNIVERSITY OF ILLINOIS AT CHICAGO COLLEGE OF MEDICINE WEEK in Illinois in appreciation of the services the institute provides to our citizens.

Issued by the Governor July 13, 1992.

Filed with the Secretary of State July 16, 1992.

93-338

VETERANS DAY AT THE ILLINOIS STATE FAIR

Whereas, Veterans Day is one of the most popular, colorful, and exciting days of the Illinois State Fair; and

Whereas, it was introduced 59 years ago by the American Legion in cooperation with the State of Illinois; and

Whereas, after World War II, other veteran associations became involved and now share responsibility for the program; and

Whereas, Veterans Day at the Fair offers youth an opportunity to display their patriotism by participating in a public musical performance--each competing unit must be sponsored by a least one veteran group;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 16, 1992, as VETERANS DAY AT THE ILLINOIS STATE FAIR.

Issued by the Governor July 13, 1992.

Filed with the Secretary of State July 16, 1992.

11/10

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#	= renumbered	F	= Failure to Remedy or Withdraw
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700.140	(A-3893)	2905.400	(A-12145)	1052.60	(P-2322)
1027.10	(A-11445)	2905.410	(A-12145)	1052.50	(P-2322)
1052.10	(P-2322)	2905.420	(A-12145)	1052.40	(P-2322)
1052.20	(P-2322)	5375.Ap.A	(A-7497)	1052.30	(P-2322)
1052.30	(P-2322)			1052.20	(P-2322)
1052.40	(P-2322)			1052.10	(P-2322)
1052.50	(P-2322)			1052.80	(P-2322)
1052.60	(P-2322)			1052.70	(P-2322)
1052.70	(P-2322)			1052.60	(P-2322)
1052.80	(P-2322)			1052.50	(P-2322)
1052.Ap.A	(P-2322)			1052.40	(P-2322)
1702.10	(A-11442)			1052.30	(P-2322)
1702.20	(A-11442)			1052.20	(P-2322)
1720.100	(A-4503)			1052.10	(P-2322)
1720.110	(A-4503)			1052.80	(P-2322)
1720.120	(A-4503)			1052.70	(P-2322)
1720.200	(A-4503)			1052.60	(P-2322)
1720.210	(A-4503)			1052.50	(P-2322)
1720.300	(A-4503)			1052.40	(P-2322)
1720.310	(A-4503)			1052.30	(P-2322)
1720.320	(A-4503)			1052.20	(P-2322)
1720.330	(A-4503)			1052.10	(P-2322)
1720.340	(A-4503)			1052.80	(P-2322)
1720.350	(A-4503)			1052.70	(P-2322)
1720.360	(A-4503)			1052.60	(P-2322)
1720.370	(A-4503)			1052.50	(P-2322)
1720.380	(A-4503)			1052.40	(P-2322)
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275.40	n	(P-2010; A-7003)	475.20 n (P-3707; A-10423)
275.50	n	(P-2010; A-7003)	475.30 n (P-3707; A-10423)
275.60	n	(P-2010; A-7003)	475.40 n (P-3707; A-10423)
275.70	n	(P-2010; A-7003)	475.50 n (P-3707; A-10423)
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300.40	n	(P-3433)	500.4 n (P-2721; A-11426)
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325.130	n	(P-2113; A-8565)	550.30 n (P-5097; A-11744)
325.140	n	(P-2113; A-8565)	550.40 n (P-5097; A-11744)
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350.120	n	(P-2106)	575.20 n (P-7083)
350.130	n	(P-2106)	575.30 n (P-7083)
350.140	n	(P-2106)	575.40 n (P-7083)
350.150	n	(P-2106)	575.50 n (P-7083)
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350.180	n	(P-2106)	600.20 n (P-5569)
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375.70	n	(P-4125)	625.20 n (P-2322; A-10282)
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400.40	n	(P-5133)	625.60 n (P-2322; A-10282)
400.50	n	(P-5133)	625.70 n (P-2322; A-10282)
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400.70	n	(P-5133)	625.Ap.A n (P-2322; A-10282)
			650.10 n (P-3253; A-8503)

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650.40	n	(P-3253; A-8503)	900.20 n (P-9273)
650.50	n	(P-3253; A-8503)	900.30 n (P-9273)
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675.50	n	(P-1779; A-8523)	925.120 n (P-10534)
675.60	n	(P-1779; A-8523)	925.130 n (P-10534)
675.70	n	(P-1779; A-8523)	925.140 n (P-10534)
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725.30	n	(P-3689; A-11432)	925.Ap.A n (P-10534)
725.40	n	(P-3689; A-11432)	950.10 n (P-9216)
725.50	n	(P-3689; A-11432)	950.20 n (P-9216)
725.60	n	(P-3689; A-11432)	950.30 n (P-9216)
725.70	n	(P-3689; A-11432)	950.40 n (P-9216)
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750.20	n	(P-8338)	950.60 n (P-9216)
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750.50	n	(P-8338)	975.20 n (P-11709)
750.60	n	(P-8338)	975.30 n (P-11709)
750.70	n	(P-8338)	975.40 n (P-11709)
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800.20	n	(P-11988)	975.60 n (P-11709)
800.30	n	(P-11988)	975.70 n (P-11709)
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850.60	n	(P-8026)	
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1705.40	n	(P-1779)	1220.250 n (P-8747/91; A-10163)
1705.50	n	(P-1779)	1220.300 n (P-8747/91; A-10163)
1705.60	n	(P-1779)	1220.310 n (P-8747/91; A-10163)
1705.70	n	(P-1779)	1220.320 n (P-8747/91; A-10163)
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130.30	am	(P-8275)	660.20 am (P-5525; A-11150)
130.40	am	(P-8275)	660.21 am (P-5525; A-11150)
130.50	am	(E-7925) (C-8614)	660.25 am (P-5525; A-11150)
		(P-8275)	660.30 am (P-5525; A-11150)
130.70	am	(E-7925) (C-8614)	660.40 am (P-5525; A-11150)
		(P-8275)	660.45 am (P-5525; A-11150)
130.120	am	(E-7925) (C-8614)	660.50 am (P-5525; A-11150)
		(P-8275)	660.60 am (P-5525; A-11150)
130.130	am	(E-7925) (C-8614)	670.10 am (P-5482; A-11116)
		(P-8275)	670.20 am (P-5482; A-11116)
130.135	am	(P-8275)	670.30 am (P-5482; A-11116)
150.10	am	(P-18055/91; A-4839)	670.40 am (P-5482; A-11116)
150.20	am	(P-18055/91; A-4839)	670.50 am (P-5482; A-11116)
150.30	am	(P-18055/91; A-4839)	670.60 am (P-5482; A-11116)
150.40	am	(P-18055/91; A-4839)	680.10 am (P-10138)
220.60	am	(P-18050/91; A-7335)	680.20 am (P-10138)
510.10	am	(P-5436; A-11064)	680.60 am (P-10138)
525.30	am	(P-15647/91; A-1826)	680.70 am (P-10138)
530.10	am	(P-7161)	680.80 am (P-10138)
530.20	am	(P-7161)	690.20 am (P-5157; A-11087)
530.70	am	(P-7161)	690.30 am (P-5157; A-11087)
530.80	am	(P-7161)	710.10 am (P-14833/91; A-1843)
530.90	am	(P-7161)	710.20 am (P-14833/91; A-1843)
530.100	am	(P-7161)	710.21 n (P-14833/91; A-1843)
530.115	n	(P-7161)	710.30 am (P-14833/91; A-1843)
530.120	am	(P-7161)	710.50 am (P-14833/91; A-1843)
550.20	am	(P-5454; A-11078)	715.10 am (P-5475; A-11101)
550.30	am	(P-5454; A-11078)	715.20 am (P-5475; A-11101)
570.20	am	(P-5443; A-11069)	715.40 am (P-5475; A-11101)
570.30	am	(P-5443; A-11069)	720.10 am (P-5466; A-11093)
570.40	am	(P-5443; A-11069)	720.20 am (P-5466; A-11093)
590.10	am	(P-14157/91; A-570)	720.30 am (P-5466; A-11093)
		(P-7189)	(P-8681)
590.20	am	(P-14157/91; A-570)	720.40 am (P-5466; A-11093)
		(P-7189)	730.20 am (P-5143; A-11041)
590.25	am	(P-7189)	730.30 am (P-5143; A-11041)
590.26	n	(P-7189)	740.10 am (P-5540; A-11162)
590.30	am	(P-7189)	740.20 am (P-5540; A-11162)
590.50	am	(P-7189)	810.35 am (P-17817/91; A-5267)
590.60	am	(P-14157/91; A-570)	810.37 am (P-17817/91; A-5267)
		(P-7189)	810.45 am (P-17817/91; A-5267)
650.10	am	(P-5501; A-11131)	(P-6571) (E-6016)
650.20	am	(P-5501; A-11131)	810.60 am (P-17817/91; A-5267)
			810.70 am (P-17817/91; A-5267)

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1810.720	n	(P-469) (E-732)	235.20 n (P-439; A-10181)
1810.730	n	(P-469) (E-732)	235.30 n (P-439; A-10181)
1810.800	n	(P-469) (E-732)	235.40 n (P-439; A-10181)
1810.900	n	(P-469) (E-732)	235.45 n (P-439; A-10181)
1810.910	n	(P-469) (E-732)	235.50 n (P-439; A-10181)
1810.1000	n	(P-469) (E-732)	235.60 n (P-439; A-10181)
1810.1010	n	(P-469) (E-732)	235.100 n (P-439; A-10181)
1810.1020	n	(P-469) (E-732)	235.110 n (P-439; A-10181)
1810.1100	n	(P-469) (E-732)	235.120 n (P-439; A-10181)
1810.1110	n	(P-469) (E-732)	235.130 n (P-439; A-10181)
			235.135 n (P-439; A-10181)
			235.140 n (P-439; A-10181)
			235.150 n (P-439; A-10181)
			260.40 am (P-5550)
<u>TITLE 23</u>			1015.10 n (P-14852/91; A-4496)
1.230	am	(P-8684)	1015.20 n (P-14852/91; A-4496)
1.240	am	(P-8684)	1015.30 n (P-14852/91; A-4496)
1.420	am	(P-8684)	1015.40 n (P-14852/91; A-4496)
1.440	am	(P-8684)	1015.50 n (P-14852/91; A-4496)
1.720	am	(P-8684)	1015.60 n (P-14852/91; A-4496)
1.730	am	(P-8684)	1015.70 n (P-14852/91; A-4496)
1.735	am	(P-8684)	1015.70 n (P-14852/91; A-4496)
1.736	n	(P-8684)	1015.70 n (P-14852/91; A-4496)
25.120	am	(P-9234)	1501.509 am (P-10524)
25.220	am	(P-9234)	1501.515 am (P-10524)
120.10	am	(P-1452; A-10213)	2700.10 am (P-4368; A-11206)
120.30	am	(P-1452; A-10213)	2700.20 am (P-4368; A-11206)
120.40	am	(P-1452; A-10213)	2700.30 am (P-4368; A-11206)
120.50	am	(P-1452; A-10213)	2700.40 am (P-4368; A-11206)
120.60	am	(P-1452; A-10213)	2700.50 am (P-4368; A-11206)
120.90	am	(P-1452; A-10213)	2700.55 am (P-4368; A-11206)
130.10	am	(P-1439; A-9475)	2700.60 am (P-4368; A-11206)
130.20	am	(P-1439; A-9475)	2700.70 am (P-4368; A-11206)
130.30	am	(P-1439; A-9475)	2720.5 am (P-4386; A-11224)
130.40	am	(P-1439; A-9475)	2720.6 am (P-4386; A-11224)
130.45	n	(P-1439; A-9475)	2720.10 am (P-15026/91; A-4060)
130.50	am	(P-1439; A-9475)	am (P-4386; A-11224)
202.10	am	(P-7231)	2720.20 am (P-4386; A-11224)
202.20	am	(P-7231)	2720.25 n (P-4386; A-11224)
202.30	am	(P-7231)	2720.30 am (P-4386; A-11224)
202.40	am	(P-7231)	2720.40 am (P-15026/91; A-4060)
202.44	n	(P-7231)	am (P-4386; A-11224)
202.46	n	(P-7231)	2720.50 am (P-4386; A-11224)
202.50	am	(P-7231)	2720.55 am (P-4386; A-11224)
202.60	am	(P-7231)	2720.60 am (P-4386; A-11224)
226.605	am	(P-3724)	2720.70 am (P-4386; A-11224)
226.640	am	(P-3724)	2720.80 am (P-4386; A-11224)
228.15	n	(P-9253)	2720.90 n (P-4386; A-11224)
228.20	am	(P-9253)	2720.105 am (P-4386; A-11224)
228.25	n	(P-9253)	2720.120 am (P-4386; A-11224)
228.30	am	(P-9253)	2720.130 am (P-4386; A-11224)
228.50	am	(P-9253)	2720.200 am (P-4386; A-11224)

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2730.5	am	(P-4416; A-11254)	2790.80 am (P-4431; A-11269)
2730.10	am	(P-4416; A-11254)	2790.90 am (P-4431; A-11269)
2730.20	am	(P-4416; A-11254)	2790.100 am (P-4431; A-11269)
2733.10	am	(P-4423; A-11261)	2790.110 am (P-4431; A-11269)
2733.20	am	(P-4423; A-11261)	2790.120 am (P-4431; A-11269)
		(P-18121/91; A-6880)	2790.130 am (P-4431; A-11269)
2733.30	am	(P-4423; A-11261)	2790.140 am (P-4431; A-11269)
		(P-18121/91; A-6880)	2790.Ap.A r (P-4431; A-11269)
2735.10	am	(P-4458; A-11296)	3030.50 am (P-15968/91; A-10329)
2735.20	am	(P-4458; A-11296)	3040.160 am (P-7321)
2735.30	am	(P-4458; A-11296)	
2735.40	am	(P-4458; A-11296)	<u>TITLE 26</u>
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2760.10	am	(P-4483; A-11321)	205.40 am (P-5556)
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2760.40	am	(P-4483; A-11321)	700.5 n (P-17440/91; A-11170)
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2761.20	am	(P-4452; A-11290)	700.15 n (P-17440/91; A-11170)
2761.30	am	(P-4452; A-11290)	700.20 n (P-17440/91; A-11170)
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2762.20	am	(P-4475; A-11313)	700.30 n (P-17440/91; A-11170)
2762.30	am	(P-4475; A-11313)	700.35 n (P-17440/91; A-11170)
2762.40	am	(P-4475; A-11313)	700.40 n (P-17440/91; A-11170)
2763.10	n	(P-18129/91; A-7048)	700.45 n (P-17440/91; A-11170)
2763.20	n	(P-18129/91; A-7048)	700.50 n (P-17440/91; A-11170)
2763.30	n	(P-18129/91; A-7048)	700.55 n (P-17440/91; A-11170)
2763.40	n	(P-18129/91; A-7048)	700.60 n (P-17440/91; A-11170)
2763.50	n	(P-18129/91; A-7048)	700.65 n (P-17440/91; A-11170)
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2770.10	n	(P-4491; A-11329)	<u>TITLE 32</u>
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2770.30	#	(P-4491; A-11329)	210.20 n (P-2003)
2770.30	am	(P-4491; A-11329)	210.30 n (P-2003)
2771.10	n	(P-18114/91; A-6873)	210.40 n (P-2003)
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2771.30	n	(P-18114/91; A-6873)	210.60 n (P-2003)
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2790.40	am	(P-4431; A-11269)	331.200 am (P-2984; A-11479)
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Table with columns: TITLE 35 (CONT'D), Section Code, Section Number, and Affected Sections. Lists sections from 728.Ap.G to 731.200.

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Table with columns: TITLE 35 (CONT'D), Section Code, Section Number, and Affected Sections. Lists sections from 875.206 to 200.280, followed by TITLE 38 sections.

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TITLE 47 (CONT'D)

370.106	n	(P-11713) (E-11884)	370.902	n	(P-11713) (E-11884)
370.107	n	(P-11713) (E-11884)	370.903	n	(P-11713) (E-11884)
370.108	n	(P-11713) (E-11884)	370.904	n	(P-11713) (E-11884)
370.109	n	(P-11713) (E-11884)	370.1001	n	(P-11713) (E-11884)
370.110	n	(P-11713) (E-11884)	370.1002	n	(P-11713) (E-11884)
370.111	n	(P-11713) (E-11884)	370.1003	n	(P-11713) (E-11884)
370.112	n	(P-11713) (E-11884)	370.1004	n	(P-11713) (E-11884)
370.113	n	(P-11713) (E-11884)	370.1005	n	(P-11713) (E-11884)
370.201	n	(P-11713) (E-11884)	370.1006	n	(P-11713) (E-11884)
370.202	n	(P-11713) (E-11884)	370.1007	n	(P-11713) (E-11884)
370.203	n	(P-11713) (E-11884)	370.1101	n	(P-11713) (E-11884)
370.204	n	(P-11713) (E-11884)	410.109	am	(P-11007) (E-11345)
370.205	n	(P-11713) (E-11884)			
370.206	n	(P-11713) (E-11884)	TITLE 50		
370.207	n	(P-11713) (E-11884)	904.30	am	(P-4159)
370.208	n	(P-11713) (E-11884)	932.20	am	(P-7279)
370.209	n	(P-11713) (E-11884)	932.40	am	(P-7279)
370.210	n	(P-11713) (E-11884)	932.60	am	(P-7279)
370.211	n	(P-11713) (E-11884)	1408.10	n	(P-8735)
370.212	n	(P-11713) (E-11884)	1408.20	n	(P-8735)
370.301	n	(P-11713) (E-11884)	1408.30	n	(P-8725)
370.302	n	(P-11713) (E-11884)	1408.40	n	(P-8725)
370.303	n	(P-11713) (E-11884)	1408.50	n	(P-8725)
370.304	n	(P-11713) (E-11884)	1408.60	n	(P-8725)
370.305	n	(P-11713) (E-11884)	1408.70	n	(P-8725)
370.401	n	(P-11713) (E-11884)	1408.80	n	(P-8725)
370.402	n	(P-11713) (E-11884)	1408.90	n	(P-8725)
370.501	n	(P-11713) (E-11884)	.II. A	n	(P-8725)
370.502	n	(P-11713) (E-11884)	2008.10	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.503	n	(P-11713) (E-11884)	2008.20	am	(P-14859/91; PF-1743; W-2956; A-2766)
370.504	n	(P-11713) (E-11884)	2008.30	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.505	n	(P-11713) (E-11884)	2008.40	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.506	n	(P-11713) (E-11884)	2008.50	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.507	n	(P-11713) (E-11884)	2008.60	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.508	n	(P-11713) (E-11884)	2008.61	r	(P-14859/91; PF-1743; W-2956; A-2766)
370.601	n	(P-11713) (E-11884)	2008.70	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.602	n	(P-11713) (E-11884)	2008.71	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.603	n	(P-11713) (E-11884)	2008.71	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
370.604	n	(P-11713) (E-11884)	2008.71	am	(P-8768)
370.605	n	(P-11713) (E-11884)	2008.71	am	(P-8768)
370.701	n	(P-11713) (E-11884)			
370.702	n	(P-11713) (E-11884)			
370.703	n	(P-11713) (E-11884)			
370.704	n	(P-11713) (E-11884)			
370.705	n	(P-11713) (E-11884)			
370.706	n	(P-11713) (E-11884)			
370.707	n	(P-11713) (E-11884)			
370.801	n	(P-11713) (E-11884)			
370.802	n	(P-11713) (E-11884)			
370.901	n	(P-11713) (E-11884)			

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TITLE 50 (CONT'D)

2008.72	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.D	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.72	am	(P-8768)	2008.Ap.D	am	(P-8768)
2008.73	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.E	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.73	am	(P-8768)	2008.Ap.E	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.74	n	(P-14859/91; PF-1743; W-2956; A-2766)	2008.Ap.E	am	(P-8768)
2008.75	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.F	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.75	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.F	am	(P-8768)
2008.80	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.G	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.81	r	(P-14859/91; PF-1743; W-2956; A-2766)	2008.Ap.G	am	(P-8768)
2008.81	n	(P-14859/91; PF-1743; W-2956; A-2766)	2008.Ap.H	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.81	am	(P-8768)	2008.Ap.H	am	(P-8768)
2008.82	am	(P-14859/91; PF-1743; W-2956; A-2766)	2008.Ap.I	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.90	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.I	am	(P-8768)
2008.100	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.J	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.101	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.J	am	(P-8768)
2008.102	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.K	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.103	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.K	am	(P-8768)
2008.104	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.L	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.110	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.L	am	(P-8768)
2008.Ap.A	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.M	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.Ap.B	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.M	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.Ap.C	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.N	r	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.Ap.C	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.N	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.Ap.C	am	(P-8768)	2008.Ap.O	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.Ap.D	r	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.O	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
			2008.Ap.P	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
			2013.10	am	(P-10375)
			2013.20	am	(P-10375)
			2013.30	am	(P-10375)
			2013.40	am	(P-10375)
			2013.50	am	(P-10375)
			2013.60	am	(P-10375)
			2013.70	am	(P-10375)

Section	Amount	Account
r	2620.10	(P-12964/91; A-6175)
r	2620.20	(P-12964/91; A-6175)
r	2620.30	(P-12964/91; A-6175)
r	2620.40	(P-12964/91; A-6175)
r	2620.50	(P-12964/91; A-6175)
r	2620.60	(P-12964/91; A-6175)
r	2620.70	(P-12964/91; A-6175)
r	2620.80	(P-12964/91; A-6175)
r	2620.90	(P-12964/91; A-6175)
r	2620.100	(P-12964/91; A-6175)
r	2625.55	(P-5124)
am	2630.82	(P-8081/91; A-1524)
am	2630.83	(P-8081/91; A-1524)
am	2650.10	(P-9202)
am	2650.20	(P-9202)
am	2650.30	(P-9202)
am	2650.40	(P-9202)
n	2650.310	(P-1; A-8518)
am	2650.320	(P-1) (P-3780; A-8518)
n	2650.330	(P-3260)
n	2650.340	(P-3260)
n	2650.350	(P-3260)
am	2720.1	(P-14343/91; A-2556)
n	2720.2	(E-7506)
am	2720.5	(P-14343/91; A-2556)
am	2720.7	(P-14343/91; A-2556)
am	2720.10	(P-14343/91; A-2556)
am	2720.108	(P-14343/91; A-2556)
n	2720.130	(P-14343/91; A-2556)
n	2720.215	(P-14343/91; A-2556)
am	2720.240	(P-14343/91; A-2556)
am	2720.315	(P-14343/91; A-2556)
n	2725.2	(E-7502)
am	2725.100	(P-3734)
am	2725.105	(P-14014/91; A-2122)
am	2725.115	(P-14014/91; A-2122)
am	2725.225	(P-3734)
n	2725.237	(P-13252/91; A-113)
am	2725.245	(P-3734)
n	2732.203	(P-3248; A-8173)
n	2732.220	(P-3248; A-8173)
n	2732.305	(P-785; A-12159)
am	2760.110	(P-14023/91; A-3993)
am	2760.120	(P-14023/91; A-3993)
am	2760.125	(P-14023/91; A-3993)
am	2760.130	(P-14023/91; A-3993)
am	2760.145	(P-14023/91; A-3993)
am	2760.150	(P-14023/91; A-3993)
am	2765.5	(P-12006)
am	2765.45	(P-14032/91; A-2131)

TITLE 56 (CONT'D)

Section	Amount	Account
am	250.500	(P-15862/91; A-5335)
am	250.600	(P-15862/91; A-5335)
am	250.700	(P-15862/91; A-5335)
n	250.705	(P-15862/91; A-5335)
n	250.710	(P-15862/91; A-5335)
n	250.715	(P-15862/91; A-5335)
am	250.805	(P-15862/91; A-5335)
am	250.820	(P-15862/91; A-5335)
am	250.825	(P-15862/91; A-5335)
n	250.855	(P-15862/91; A-5335)
n	250.860	(P-15862/91; A-5335)
r	300.100	(P-4626; C-6897)
r	300.110	(P-4626; C-6897)
r	300.120	(P-4626; C-6897)
r	300.200	(P-4626; C-6897)
r	300.210	(P-4626; C-6897)
r	300.220	(P-4626; C-6897)
r	300.230	(P-4626; C-6897)
-	300.300	(P-4626; C-6897)
r	300.310	(P-4626; C-6897)
-	300.400	(P-4626; C-6897)
r	300.410	(P-4626; C-6897)
r	300.420	(P-4626; C-6897)
r	300.430	(P-4626; C-6897)
r	300.440	(P-4626; C-6897)
r	300.450	(P-4626; C-6897)
am	300.460	(P-11055/91; A-126)
am	300.500	(P-15244/91; A-5329)
am	300.510	(P-17013/91; A-5326)
n	300.520	(P-4626; C-6897)
n	300.600	(P-4626; C-6897)
n	300.610	(P-4626; C-6897)
n	300.620	(P-4626; C-6897)
n	300.630	(P-4626; C-6897)
n	300.640	(P-4626; C-6897)
n	300.700	(P-4626; C-6897)
n	300.710	(P-4626; C-6897)
n	300.720	(P-4626; C-6897)
n	300.730	(P-4626; C-6897)
n	300.740	(P-4626; C-6897)
n	300.750	(P-4626; C-6897)
n	300.760	(P-4626; C-6897)
n	300.770	(P-4626; C-6897)
n	300.780	(P-4626; C-6897)
n	300.790	(P-4626; C-6897)
n	300.800	(P-4626; C-6897)
n	300.810	(P-4626; C-6897)
n	300.820	(P-4626; C-6897)
n	300.830	(P-4626; C-6897)
n	300.840	(P-4626; C-6897)
n	300.850	(P-4626; C-6897)
am	300.860	(P-4626; C-6897)

TITLE 50 (CONT'D)

TITLE 56

n	120.100	(P-1997)
n	120.110	(P-1997)
n	120.120	(P-1997)
n	120.130	(P-1997)
n	120.140	(P-1997)
n	120.150	(P-1997)
n	120.160	(P-1997)
n	120.170	(P-1997)
am	250.105	(P-15862/91; A-5335)
r	250.110	(P-15862/91; A-5335)
r	250.115	(P-15862/91; A-5335)
r	250.120	(P-15862/91; A-5335)
r	250.125	(P-15862/91; A-5335)
r	250.130	(P-15862/91; A-5335)
r	250.135	(P-15862/91; A-5335)
r	250.140	(P-15862/91; A-5335)
r	250.145	(P-15862/91; A-5335)
r	250.150	(P-15862/91; A-5335)
r	250.155	(P-15862/91; A-5335)
r	250.160	(P-15862/91; A-5335)
am	250.200	(P-15862/91; A-5335)
am	6701.Ex.A	
am	3119.40	(P-11055/91; A-126)
am	3113.40	(P-15244/91; A-5329)
am	3205.30	(P-9291)
r	3205.20	(P-9291)
r	3205.10	(P-9291)
r	3204.10	(P-9294)
r	3203.20	(P-9284)
r	3203.10	(P-9284)
r	3202.30	(P-9288)
r	3202.20	(P-9288)
r	3202.10	(P-9288)
r	3201.70	(P-9274)
r	3201.60	(P-9274)
r	3201.50	(P-9274)
r	3201.40	(P-9274)
r	3201.30	(P-9274)
r	3201.20	(P-9274)
r	3201.10	(P-9274)
n	2725.2	(E-7502)
n	2720.2	(E-7506)
am	2600.50	(P-7120)
n	2015.60	(P-6925)
n	2015.50	(P-6925)
n	2015.40	(P-6925)
n	2015.30	(P-6925)
n	2015.20	(P-6925)
n	2015.10	(P-6925)

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<u>TITLE 56 (CONT'D)</u>				
2765.50	am	(P-12006)	5300.920	am (P-10521/91; A-7838)
2765.55	am	(P-14032/91; A-2131)	5300.930	am (P-10521/91; A-7838)
2765.60	am	(P-14032/91; A-2131)	5300.940	am (P-10521/91; A-7838)
2765.64	n	(P-12006)	5300.950	am (P-10521/91; A-7838)
2765.66	am	(P-12006)	5300.960	am (P-10521/91; A-7838)
2765.67	n	(P-11034/91; A-12165)	5300.1145	n (P-10521/91; A-7838)
2765.68	am	(P-14032/91; A-2131)	5300.1150	am (P-10521/91; A-7838)
2765.69	n	(P-11034/91; A-12165)	5300.1160	am (P-10521/91; A-7838)
2765.70	am	(P-12006)	5400.110	am (P-1490; A-8529)
2765.74	n	(P-12006)		(E-1693)
2765.75	am	(P-12006)	5400.210	am (P-1490; A-8529)
2765.225	n	(P-11034/91; A-12165)		(E-1693)
2765.228	n	(P-11034/91; A-12165)	5400.310	am (P-1490; A-8529)
2765.230	n	(P-11034/91; A-12165)		(E-1693)
2765.325	am	(P-11034/91; A-12165)	6000.50	am (P-5399)
2765.328	n	(P-11034/91; A-12165)	6000.340	n (P-7543) (E-7716)
2770.110	am	(P-13257/91; A-118)		
5300.10	am	(P-10521/91; A-7838)		
5300.20	am	(P-10521/91; A-7838)		
5300.30	am	(P-10521/91; A-7838)		
5300.40	am	(P-10521/91; A-7838)		
5300.210	am	(P-10521/91; A-7838)		
5300.310	am	(P-10521/91; A-7838)		
5300.450	am	(P-10521/91; A-7838)		
5300.460	am	(P-10521/91; A-7838)		
5300.550	r	(P-10521/91; A-7838)		
5300.560	am	(P-10521/91; A-7838)		
5300.570	r	(P-10521/91; A-7838)		
5300.610	am	(P-10521/91; A-7838)		
5300.620	am	(P-10521/91; A-7838)		
5300.630	am	(P-10521/91; A-7838)		
5300.640	am	(P-10521/91; A-7838)		
5300.650	am	(P-10521/91; A-7838)		
5300.660	am	(P-10521/91; A-7838)		
5300.720	am	(P-10521/91; A-7838)		
5300.730	am	(P-10521/91; A-7838)		
5300.735	n	(P-10521/91; A-7838)		
5300.745	n	(P-10521/91; A-7838)		
5300.750	am	(P-10521/91; A-7838)		
5300.760	am	(P-10521/91; A-7838)		
5300.765	n	(P-10521/91; A-7838)		
5300.770	r	(P-10521/91; A-7838)		
5300.782	r	(P-10521/91; A-7838)		
5300.783	r	(P-10521/91; A-7838)		
5300.784	r	(P-10521/91; A-7838)		
5300.785	r	(P-10521/91; A-7838)		
5300.786	r	(P-10521/91; A-7838)		
5300.787	r	(P-10521/91; A-7838)		
5300.825	am	(P-10521/91; A-7838)		
5300.865	am	(P-10521/91; A-7838)		

TITLE 59

101.100	n	(P-14363/91; A-2137)
		(E-14663/91)
103.90	am	(E-2643)
115.320	am	(E-2676)
119.260	am	(E-2662)
120.70	am	(E-2652)
125.70	am	(E-2672)
130.10	r	(P-8842)
130.11	r	(P-8842)
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(P-5861)	760.2040	(P-9424)	672.505
(P-5861)	760.2041	(P-9424)	672.450
(P-5861)	760.2042	(P-9424)	672.420
(P-5861)	760.2043	(P-9424)	672.415
(P-5861)	760.2044	(P-9424)	672.405
(P-5861)	760.2045	(P-9424)	672.300
(P-5861)	760.2046	(P-9424)	672.225
(P-5861)	760.2047	(P-9424)	672.215
(P-5861)	760.2048	(P-9424)	672.210
(P-5861)	760.2049	(P-9424)	672.205
(P-5861)	760.2050	(P-9424)	672.200
(P-5861)	760.2051	(P-9424)	672.195
(P-5861)	760.2052	(P-9424)	672.190
(P-5861)	760.2053	(P-9424)	672.185
(P-5861)	760.2054	(P-9424)	672.180
(P-5861)	760.2055	(P-9424)	672.175
(P-5861)	760.2056	(P-9424)	672.170
(P-5861)	760.2057	(P-9424)	672.165
(P-5861)	760.2058	(P-9424)	672.160
(P-5861)	760.2059	(P-9424)	672.155
(P-5861)	760.2060	(P-9424)	672.150
(P-5861)	760.2061	(P-9424)	672.145
(P-5861)	760.2062	(P-9424)	672.140
(P-5861)	760.2063	(P-9424)	672.135
(P-5861)	760.2064	(P-9424)	672.130
(P-5861)	760.2065	(P-9424)	672.125
(P-5861)	760.2066	(P-9424)	672.120
(P-5861)	760.2067	(P-9424)	672.115
(P-5861)	760.2068	(P-9424)	672.110
(P-5861)	760.2069	(P-9424)	672.105
(P-5861)	760.2070	(P-9424)	672.100

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790.2613	am	(P-15943/91; A-5941; C-7512) (P-4782) (E-4899)	790.3980	am (P-4782) (E-4899)
			790.3996	am (P-4782) (E-4899)
			790.4012	am (P-4782) (E-4899)
790.2617	am	(P-4782) (E-4899)	790.4040	am (P-4782) (E-4899)
790.2618	am	(P-4782) (E-4899)		(P-15943/91; A-5941; C-7512)
790.2620	am	(P-4782) (E-4899)	790.4060	am (P-4782) (E-4899)
790.2661	am	(P-4782) (E-4899)	790.4100	am (P-4782) (E-4899)
790.2780	am	(P-4782) (E-4899)	790.4140	am (P-4782) (E-4899)
790.2805	am	(P-15943/91; A-5941; C-7512) (P-8329) (E-8571)	790.4173	am (P-4782) (E-4899)
790.2900	am	(P-4782) (E-4899)	790.4180	am (P-4782) (E-4899)
790.2902	am	(P-4782) (E-4899)	790.4220	am (P-4782) (E-4899)
790.2904	am	(P-4782) (E-4899)	790.4260	am (P-4782) (E-4899)
790.2980	am	(P-4782) (E-4899)	790.4300	am (P-4782) (E-4899)
790.3020	am	(P-4782) (E-4899)	790.4385	am (P-4782) (E-4899)
790.3021	am	(P-4782) (E-4899)	790.4386	am (P-4782) (E-4899)
790.3027	am	(P-15943/91; A-5941)	790.4396	am (P-4782) (E-4899)
790.3029	am	(P-4782) (E-4899)	790.4398	am (P-4782) (E-4899)
790.3049	am	(P-4782) (E-4899)	790.4420	am (P-4782) (E-4899)
790.3054	am	(P-4782) (E-4899)	790.4580	am (P-4782) (E-4899)
790.3085	am	(P-4782) (E-4899)	790.4620	am (P-4782) (E-4899)
790.3100	am	(P-4782) (E-4899)	790.4660	am (P-4782) (E-4899)
790.3260	am	(P-4782) (E-4899)		(P-8329) (E-8571)
790.3300	am	(P-4782) (E-4899)	790.4670	am (P-4782) (E-4899)
790.3308	am	(P-4782) (E-4899)	790.4680	am (P-4782) (E-4899)
790.3315	am	(P-4782) (E-4899)		(P-8329) (E-8571)
790.3335	am	(P-4782) (E-4899)	790.4700	am (P-4782) (E-4899)
790.3340	am	(P-4782) (E-4899)	790.4720	am (P-4782) (E-4899)
790.3420	am	(P-4782) (E-4899)	790.4740	am (P-4782) (E-4899)
790.3437	am	(P-4782) (E-4899)	790.4780	am (P-4782) (E-4899)
		(P-8329) (E-8571)	790.4840	am (P-4782) (E-4899)
790.3472	am	(P-4782) (E-4899)	790.4860	am (P-4782) (E-4899)
790.3480	n	(P-4782) (E-4899)	790.4900	am (P-4782) (E-4899)
790.3492	am	(P-4782) (E-4899)		(P-8329) (E-8571)
790.3495	n	(P-4782) (E-4899)	790.4965	am (P-4782) (E-4899)
790.3540	am	(P-4782) (E-4899)	790.4980	am (P-4782) (E-4899)
790.3620	am	(P-4782) (E-4899)	790.5060	am (P-4782) (E-4899)
790.3700	am	(P-4782) (E-4899)	790.5100	am (P-4782) (E-4899)
790.3742	am	(P-4782) (E-4899)	790.5140	am (P-4782) (E-4899)
790.3780	am	(P-4782) (E-4899)	790.5180	am (P-4782) (E-4899)
790.3860	am	(P-4782) (E-4899)		(P-15943/91; A-5941; C-7512)
790.3875	n	(P-4782) (E-4899)	790.5220	am (P-4782) (E-4899)
790.3907	am	(P-4782) (E-4899)	790.5300	am (P-4782) (E-4899)
790.3910	am	(P-4782) (E-4899)	790.5312	am (P-4782) (E-4899)
		(P-15943/91; A-5941; C-7512)		(P-15843/91; A-5941; C-7512)
790.3940	am	(P-4782) (E-4899)	790.5320	am (P-15943/91; A-5941; C-7512)
790.3945	am	(P-4782) (E-4899)		(P-8329) (E-8571)

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790.5380	am	(P-4782) (E-4899)	790.6670	am (P-4782) (E-4899)
		(P-15943/91; A-5941; C-7512)	790.6780	am (P-4782) (E-4899)
				(P-8329) (E-8571)
790.5420	am	(P-4782) (E-4899)	790.6800	am (P-4782) (E-4899)
790.5483	am	(P-4782) (E-4899)	790.6820	am (P-4782) (E-4899)
790.5500	am	(P-4782) (E-4899)	790.6860	am (P-4782) (E-4899)
790.5520	am	(P-4782) (E-4899)	790.6875	am (P-4782) (E-4899)
790.5540	am	(P-4782) (E-4899)	790.6885	am (P-4782) (E-4899)
790.5544	am	(P-4782) (E-4899)	790.6895	am (P-4782) (E-4899)
790.5620	am	(P-4782) (E-4899)	790.6940	am (P-4782) (E-4899)
790.5640	am	(P-15943/91; A-5941)	790.6960	am (P-4782) (E-4899)
790.5700	am	(P-4782) (E-4899)	790.6980	am (P-4782) (E-4899)
790.5740	am	(P-4782) (E-4899)	790.7100	am (P-4782) (E-4899)
790.5788	n	(P-4782) (E-4899)	790.7120	am (P-4782) (E-4899)
		(P-8329) (E-8571)	790.7130	am (P-4782) (E-4899)
790.5792	am	(P-4782) (E-4899)	790.7140	am (P-4782) (E-4899)
790.5802	am	(P-4782) (E-4899)	790.7180	am (P-4782) (E-4899)
790.5807	am	(P-4782) (E-4899)	790.7229	am (P-4782) (E-4899)
790.5820	am	(P-4782) (E-4899)	790.7260	am (P-4782) (E-4899)
790.5830	am	(P-4782) (E-4899)	790.7263	n (P-4782) (E-4899)
790.5872	am	(P-4782) (E-4899)	790.7265	am (P-4782) (E-4899)
790.5900	am	(P-4782) (E-4899)		(P-8329) (E-8571)
790.5940	am	(P-4782) (E-4899)	790.7280	am (P-4782) (E-4899)
790.5980	am	(P-4782) (E-4899)	790.7291	am (P-4782) (E-4899)
790.6020	r	(P-4782) (E-4899)	790.7296	am (P-4782) (E-4899)
790.6140	am	(P-4782) (E-4899)	790.7380	am (P-4782) (E-4899)
		(P-8329) (E-8571)	790.7400	am (P-4782) (E-4899)
790.6180	am	(P-4782) (E-4899)		(P-8329) (E-8571)
790.6260	am	(P-4782) (E-4899)	790.7420	am (P-4782) (E-4899)
790.6275	am	(P-4782) (E-4899)	790.7500	am (P-4782) (E-4899)
790.6277	am	(P-4782) (E-4899)	790.7510	am (P-4782) (E-4899)
		(P-8329) (E-8571)	790.7540	am (P-4782) (E-4899)
790.6280	r	(P-4782) (E-4899)	790.7580	am (P-4782) (E-4899)
790.6300	am	(P-4782) (E-4899)	790.7700	am (P-4782) (E-4899)
790.6340	am	(P-4782) (E-4899)		(P-8329) (E-8571)
790.6370	am	(P-4782) (E-4899)	790.7740	am (P-4782) (E-4899)
		(P-15943/91; A-5941; C-7512) (P-8329) (E-8571)	790.7820	am (P-4782) (E-4899)
790.6375	am	(P-4782) (E-4899)	790.7828	am (P-4782) (E-4899)
790.6420	am	(P-4782) (E-4899)		(P-15943/91; A-5941; C-7512)
790.6430	am	(P-8329) (E-8571)	790.7834	am (P-4782) (E-4899)
790.6452	am	(P-4782) (E-4899)	790.7860	am (P-4782) (E-4899)
790.6456	am	(P-4782) (E-4899)	790.7940	am (P-4782) (E-4899)
790.6460	am	(P-4782) (E-4899)	790.7980	am (P-4782) (E-4899)
790.6480	am	(P-4782) (E-4899)	790.8015	am (P-4782) (E-4899)
790.6500	am	(P-4782) (E-4899)	790.8020	am (P-4782) (E-4899)
790.6540	am	(P-4782) (E-4899)	790.8030	am (P-8329) (E-8571)
790.6570	r	(P-4782) (E-4899)	790.8106	am (P-4782) (E-4899)
790.6580	am	(P-4782) (E-4899)	790.8136	am (P-4782) (E-4899)
790.6610	am	(P-8329) (E-8571)	790.8248	am (P-4782) (E-4899)
			790.8300	am (P-4782) (E-4899)

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2030.450	n	(P-9083/91; A-2457)	
2030.510	r	(P-9153/91; A-2530)	
2030.510	n	(P-9083/91; A-2457)	
2030.520	r	(P-9153/91; A-2530)	
2030.520	n	(P-9083/91; A-2457)	
2030.530	n	(P-9083/91; A-2457)	
2030.540	n	(P-9083/91; A-2457)	
2030.550	n	(P-9083/91; A-2457)	
2030.610	r	(P-9153/91; A-2530)	
2030.610	n	(P-9083/91; A-2457)	
2030.620	r	(P-9153/91; A-2530)	
2030.620	n	(P-9083/91; A-2457)	
2030.630	r	(P-9153/91; A-2530)	
2030.640	r	(P-9153/91; A-2530)	
2030.710	r	(P-9153/91; A-2530)	
2030.710	n	(P-9083/91; A-2457)	
2030.720	r	(P-9153/91; A-2530)	
2030.720	n	(P-9083/91; A-2457)	
2030.730	r	(P-9153/91; A-2530)	
2030.730	n	(P-9083/91; A-2457)	
2030.740	r	(P-9153/91; A-2530)	
2030.740	n	(P-9083/91; A-2457)	
2030.750	r	(P-9153/91; A-2530)	
2030.750	n	(P-9083/91; A-2457)	
2030.760	r	(P-9153/91; A-2530)	
2030.760	n	(P-9083/91; A-2457)	
2030.810	r	(P-9153/91; A-2530)	
2030.810	n	(P-9083/91; A-2457)	
2030.820	r	(P-9153/91; A-2530)	
2030.820	n	(P-9083/91; A-2457)	
2030.830	n	(P-9083/91; A-2457)	
2030.840	n	(P-9083/91; A-2457)	
2030.850	n	(P-9083/91; A-2457)	
2030.910	r	(P-9153/91; A-2530)	
2030.910	n	(P-9083/91; A-2457)	
2030.920	r	(P-9153/91; A-2530)	
2030.930	r	(P-9153/91; A-2530)	
2030.940	r	(P-9153/91; A-2530)	
2030.950	r	(P-9153/91; A-2530)	
2030.960	r	(P-9153/91; A-2530)	
2030.970	r	(P-9153/91; A-2530)	
2030.980	r	(P-9153/91; A-2530)	
2030.1010	r	(P-9153/91; A-2530)	
2030.1010	n	(P-9083/91; A-2457)	
2030.1020	r	(P-9153/91; A-2530)	
2030.1020	n	(P-9083/91; A-2457)	
2030.1030	r	(P-9153/91; A-2530)	
2030.1030	n	(P-9083/91; A-2457)	
2030.1040	r	(P-9153/91; A-2530)	
2030.1040	n	(P-9083/91; A-2457)	
2030.1050	n	(P-9083/91; A-2457)	
2030.1060	n	(P-9083/91; A-2457)	
2030.1070	n	(P-9083/91; A-2457)	
2030.1080	n	(P-9083/91; A-2457)	
2030.1090	n	(P-9083/91; A-2457)	
2030.1110	r	(P-9153/91; A-2530)	
2030.1110	n	(P-9083/91; A-2457)	
2030.1120	r	(P-9153/91; A-2530)	
2030.1120	n	(P-9083/91; A-2457)	
2030.1130	r	(P-9153/91; A-2530)	
2030.1130	n	(P-9083/91; A-2457)	
2030.1140	r	(P-9153/91; A-2530)	
2030.1140	n	(P-9083/91; A-2457)	
2030.1150	n	(P-9083/91; A-2457)	
2030.1160	n	(P-9083/91; A-2457)	
2030.1205	n	(P-9083/91; A-2457)	
2030.1210	r	(P-9153/91; A-2530)	
2030.1210	n	(P-9083/91; A-2457)	
2030.1215	n	(P-9083/91; A-2457)	
2030.1220	r	(P-9153/91; A-2530)	
2030.1220	n	(P-9083/91; A-2457)	
2030.1225	r	(P-9153/91; A-2530)	
2030.1225	n	(P-9083/91; A-2457)	
2030.1230	r	(P-9153/91; A-2530)	
2030.1230	n	(P-9083/91; A-2457)	
2030.1240	r	(P-9153/91; A-2530)	
2030.1245	n	(P-9083/91; A-2457)	
2030.1250	r	(P-9153/91; A-2530)	
2030.1250	n	(P-9083/91; A-2457)	
2030.1255	n	(P-9083/91; A-2457)	
2030.1260	r	(P-9153/91; A-2530)	
2030.1265	n	(P-9083/91; A-2457)	
2030.1270	r	(P-9153/91; A-2530)	
2030.1310	r	(P-9153/91; A-2530)	
2030.1310	n	(P-9083/91; A-2457)	
2030.1320	r	(P-9153/91; A-2530)	
2030.1320	n	(P-9083/91; A-2457)	
2030.1330	r	(P-9153/91; A-2530)	
2030.1340	r	(P-9153/91; A-2530)	
2030.1350	r	(P-9153/91; A-2530)	
2031.10	r	(P-9149/91; A-2455)	
2032.10	r	(P-9218/91; A-2533)	
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2032.35	r	(P-9218/91; A-2533)	
2032.40	r	(P-9218/91; A-2533)	
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2056.301	am	(P-4567)	
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2056.303	am	(P-4567)	
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2056.415	am	(P-4567)	
2056.420	am	(P-4567)	
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2056.600	am	(P-4567)	
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2056.635	n	(P-4567)	
2056.640	n	(P-4567)	
2056.645	n	(P-4567)	
2056.650	n	(P-4567)	
2056.655	n	(P-4567)	
2056.660	n	(P-4567)	
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2090.20	am	(P-5104; A-11807)	
2090.40	am	(P-5104; A-11807)	
2090.70	am	(P-5104; A-11807)	
2090.70	am	(P-5104; A-11807)	
2090.100	am	(P-5104; A-11807)	
2510.50	am	(P-17444/91; A-8980)	
2510.60	am	(P-17444/91; A-8980)	
2510.70	am	(P-17444/91; A-8980)	
	.Ap.B	am	(P-17444/91; A-8980)
	.Ap.C	am	(P-17444/91; A-8980)
TITLE 80			
150.410	am	(P-4360; A-11835)	
150.420	am	(P-4360; A-11835)	
150.430	am	(P-4360; A-11835)	
302.80	am	(P-336; A-8375)	
302.150	am	(P-11390) (E-11645)	
302.325	n	(P-11390) (E-11645)	
302.822	am	(P-8675)	
303.102	am	(P-327; A-8368)	
303.115	n	(P-327; A-8368)	
303.125	am	(P-327; A-8368)	
303.175	n	(P-327; A-8368)	
303.290	am	(P-327; A-8368)	
303.385	n	(P-327; A-8368)	
304.51	n	(P-334; RC-10499)	
310.100	am	(P-342; A-8382)	
		(E-711)	
310.110	am	(P-12051/91; A-3450)	
310.130	am	(P-12051/91; A-3450)	
310.230	am	(P-342; A-8382)	
310.280	am	(P-12051/91; A-3450)	
310.290	am	(P-12051/91; A-3450)	
		(P-6521) (E-6888)	
		(E-8239)	
310.490	am	(P-342; A-8382)	
		(E-711)	

Section	Case No.	Case Description
(P-16913/91; A-5988)	490.140	(P-17427/91; A-11009)
(P-16913/91; A-5988)	490.150	(P-17427/91; A-11009)
(P-16913/91; A-5988)	490.160	(P-17427/91; A-11009)
(P-16913/91; A-5988)	490.170	(P-17427/91; A-11009)
(P-16913/91; A-5988)	490.180	(P-17427/91; A-11009)
(P-16913/91; A-5988)	490.190	(P-17427/91; A-11009)
(P-16913/91; A-5988)	490.200	(P-17427/91; A-11009)
(P-16932/91; A-5990)	510.101	(P-17427/91; A-11009)
(P-16932/91; A-5990)	510.110	(P-17427/91; A-11009)
(P-16932/91; A-5990)	510.115	(P-17427/91; A-11009)
(P-16932/91; A-5990)	510.120	(P-16932/91; A-5990)
(P-16932/91; A-5990)	510.131	(P-16932/91; A-5990)
(P-16932/91; A-5990)	510.145	(P-16932/91; A-5990)
(P-16932/91; A-5990)	510.160	(P-16932/91; A-5990)
(P-3802)	3000.100	(P-15013/91; A-1642)
(P-3802)	3000.200	(P-15948/91; A-4859)
(P-3802)	3000.210	(P-15948/91; A-4859)
(P-3802)	3000.220	(P-15948/91; A-4859)
(P-3802)	3000.230	(P-15948/91; A-4859)
(P-3802)	3000.245	(P-15958/91; A-4867)
(P-3802)	3000.270	(P-15958/91; A-4867)
(P-3802)	3000.420	(P-15958/91; A-4867)
(P-3802)	3000.425	(P-15958/91; A-4867)
(P-3802)	3000.610	(P-15958/91; A-4867)
(P-3802)	3000.620	(P-15958/91; A-4867)
(P-3802)	3000.625	(P-15958/91; A-4867)
(P-3802)	3000.645	(P-18506/91; A-7691)
(P-3802)	3000.910	(P-18506/91; A-7691)
(P-3802)	3000.1010	(P-18506/91; A-7691)
(P-3802)	3000.1070	(P-6762)
(P-7793)	104.10	(P-6777)
(P-7793)	104.70	(P-6777)
(P-7793)	104.102	(P-6777)
(P-4741)	104.202	(P-15417/91; A-4876)
(P-4741)	104.204	(P-15417/91; A-4876)
(P-2752)	104.206	(P-15422/91; A-3578)
(P-4741)	104.208	(P-16913/91; A-5988)
(P-4741)	104.209	(P-16913/91; A-5988)
(P-2752)	104.210	(P-16913/91; A-5988)
(P-4741)	104.212	(P-16913/91; A-5988)
(P-4741)	104.221	(P-16913/91; A-5988)
(P-4741)	104.230	(P-16913/91; A-5988)
(P-7793)	104.235	(P-16913/91; A-5988)
(P-4741)	104.244	(P-16913/91; A-5988)
(P-4741)	104.246	(P-16913/91; A-5988)
(P-7793)	104.248	(P-16913/91; A-5988)
(P-2752)	104.272	(P-16913/91; A-5988)
(P-2752)	104.273	(P-16913/91; A-5988)
(P-2752)	104.274	(P-16913/91; A-5988)

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TITLE 83 (CONT'D)

TITLE 86

785.35	(P-17427/91; A-11009)
785.45	(P-17427/91; A-11009)
785.50	(P-17427/91; A-11009)
785.55	(P-17427/91; A-11009)
785.60	(P-17427/91; A-11009)
785.65	(P-17427/91; A-11009)
100.3700	(P-7306; C-10084)
100.9920	(P-7306; C-10084)
110.190	(P-14196/91; A-2624)
130.310	(P-15013/91; A-1642)
180.101	(P-15948/91; A-4859)
180.130	(P-15948/91; A-4859)
180.140	(P-15948/91; A-4859)
180.145	(P-15948/91; A-4859)
190.101	(P-15958/91; A-4867)
190.110	(P-15958/91; A-4867)
190.120	(P-15958/91; A-4867)
190.170	(P-15958/91; A-4867)
190.175	(P-15958/91; A-4867)
190.101	(P-18506/91; A-7691)
295.105	(P-18506/91; A-7691)
295.110	(P-18506/91; A-7691)
295.115	(P-18506/91; A-7691)
295.120	(P-18506/91; A-7691)
430.110	(P-6762)
430.125	(P-6762)
430.160	(P-6762)
435.120	(P-6777)
435.140	(P-6777)
435.160	(P-6777)
460.101	(P-15417/91; A-4876)
460.110	(P-15417/91; A-4876)
480.101	(P-15422/91; A-3578)
490.10	(P-16913/91; A-5988)
490.20	(P-16913/91; A-5988)
490.30	(P-16913/91; A-5988)
490.40	(P-16913/91; A-5988)
490.50	(P-16913/91; A-5988)
490.60	(P-16913/91; A-5988)
490.70	(P-16913/91; A-5988)
490.80	(P-16913/91; A-5988)
490.90	(P-16913/91; A-5988)
490.100	(P-16913/91; A-5988)
490.110	(P-16913/91; A-5988)
490.120	(P-16913/91; A-5988)
490.130	(P-16913/91; A-5988)

TITLE 80 (CONT'D)

TITLE 83

745.10	(P-10513)	745.10	(PP-5068; RC-6899)
745.15	(P-10513)	745.15	(PP-5068; RC-6899)
745.30	(P-10513)	745.30	(PP-7056)
745.110	(P-10513)	745.110	(PP-7056)
745.200	(P-10513)	745.200	(P-342; A-8382)
745.210	(P-10513)	745.210	(P-342; A-8382)
745.220	(P-10513)	745.220	(P-342; A-8382)
745.221	(P-10513)	745.221	(P-342; A-8382)
745.225	(P-10513)	745.225	(P-342; A-8382)
745.300	(P-10513)	745.300	(P-342; A-8382)
745.Ex.B	(P-10513)	745.Ex.B	(P-342; A-8382)
757.10	(P-6542)	757.10	(P-342; A-8382)
757.15	(P-6542)	757.15	(P-342; A-8382)
757.100	(P-6542)	757.100	(P-342; A-8382)
757.105	(P-6542)	757.105	(P-342; A-8382)
757.110	(P-6542)	757.110	(P-342; A-8382)
757.115	(P-6542)	757.115	(P-342; A-8382)
757.120	(P-6542)	757.120	(PP-5068; RC-6899)
757.125	(P-6542)	757.125	(PP-5068; RC-6899)
757.130	(P-6542)	757.130	(P-342; A-8382)
757.200	(P-6542)	757.200	(P-342; A-8382)
757.205	(P-6542)	757.205	(P-342; A-8382)
757.210	(P-6542)	757.210	(P-342; A-8382)
757.215	(P-6542)	757.215	(P-12051/91; A-3450)
757.220	(P-6542)	757.220	(P-11724)
757.225	(P-6542)	757.225	(E-6052)
757.230	(P-6542)	757.230	RC-8253
757.235	(P-6542)	757.235	(P-7325)
757.240	(P-6542)	757.240	(P-7325)
757.245	(P-6542)	757.245	(P-7325)
757.300	(P-6542)	757.300	(P-7325)
757.Ex.A	(P-6542)	757.Ex.A	(P-3235; A-11438)
757.Ex.B	(P-6542)	757.Ex.B	(P-3235; A-11438)
757.Ex.C	(P-6542)	757.Ex.C	(P-7079)
757.Ex.D	(P-6542)	757.Ex.D	(P-15199/91; A-4831)
757.Ex.E	(P-6542)	757.Ex.E	
760.20	(P-14340/91; A-6177)	760.20	(P-18018/91; A-7654)
	(P-16535/91; A-6177)		(P-18018/91; A-7654)
	(P-3242)		(P-1936; W-7737)
770.10	(P-3242)	770.10	(P-8269)
770.30	(P-3242)	770.30	(P-9801/91; A-11023)
785.1	(P-17427/91; A-11009)	785.1	(P-16538/91; A-6180)
785.5	(P-17427/91; A-11009)	785.5	(P-11899/91; A-2544)
785.10	(P-17427/91; A-11009)	785.10	(P-6533)
785.15	(P-17427/91; A-11009)	785.15	(P-11025/91; A-2535)
785.20	(P-17427/91; A-11009)	785.20	(P-11025/91; A-2535)
785.25	(P-17427/91; A-11009)	785.25	(P-11025/91; A-2535)
785.30	(P-17427/91; A-11009)	785.30	(P-11905/91; A-2550)

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TITLE 89 (CONT'D)			
104.295	am	(P-7793)	114.122 r (P-15008/91; A-3512)
110.30	am	(P-3405; W-5082)	114.123 r (P-15008/91; A-3512)
		(P-4704)	114.124 am (P-15008/91; A-3512)
111.101	am	(P-16851/91; A-11577)	114.128 am (P-4216) (E-4540)
112.70	am	(P-3335)	114.135 am (P-4216) (E-4540)
112.71	am	(P-3335)	114.351 am (P-11401) (E-11662)
112.72	am	(P-3335)	114.352 am (P-11401) (E-11662)
112.74	am	(P-3335)	114.353 am (P-11401) (E-11662)
112.78	am	(P-3335)	114.400 am (P-15008/91; A-3512)
112.79	am	(P-3335)	114.420 am (P-15008/91; A-3512)
112.82	am	(P-3335)	115.10 am (P-17897/91; A-10291)
112.110	am	(P-16596/91; A-11550)	115.30 am (P-17897/91; A-10291)
112.115	am	(P-18062/91; A-9972)	115.34 am (P-17897/91; A-10291)
112.138	r	(P-11399) (E-11652)	115.40 am (P-17897/91; A-10291)
112.300	am	(P-18062/91; A-9972)	116.500 am (P-16623/91; A-5350)
112.400	am	(P-16596/91; A-11550)	116.520 am (P-16623/91; A-5350)
113.40	am	(P-14994/91; A-3468)	117.10 am (P-8938)
113.50	am	(P-14994/91; A-3468)	118.200 am (P-17040/91; A-11607)
113.108	r	(P-16610/91; A-11565)	120.11 am (P-16625/91; A-11582)
113.109	r	(P-16610/91; A-11565)	120.31 am (P-16625/91; A-11582)
113.110	r	(P-16610/91; A-11565)	120.60 am (P-16625/91; A-11582)
113.113	am	(P-16610/91; A-11565)	120.64 am (P-16625/91; A-11582)
113.130	am	(P-18073/91; A-9986)	120.382 am (P-16625/91; A-11582)
113.253	am	(P-18073/91; A-9986)	120.390 am (P-16625/91; A-11582)
113.260	am	(P-18073/91; A-9986)	120.391 am (P-16625/91; A-11582)
113.302	r	(P-14994/91; A-3468)	120.50 r (P-12137/91; A-139)
113.400	n	(P-14994/91; A-3468)	120.80 am (P-16856/91; A-10034)
113.405	n	(P-14994/91; A-3468)	120.200 n (P-12137/91; A-139)
113.410	n	(P-14994/91; A-3468)	120.208 r (P-12137/91; A-139)
113.415	n	(P-14994/91; A-3468)	120.210 r (P-12137/91; A-139)
113.420	n	(P-14994/91; A-3468)	120.211 r (P-12137/91; A-139)
113.425	n	(P-14994/91; A-3468)	120.212 r (P-12137/91; A-139)
113.430	n	(P-14994/91; A-3468)	120.215 r (P-12137/91; A-139)
113.435	n	(P-14994/91; A-3468)	120.216 r (P-12137/91; A-139)
113.440	#	(P-14994/91; A-3468)	120.217 r (P-12137/91; A-139)
113.440	am	(P-14994/91; A-3468)	120.218 r (P-12137/91; A-139)
113.445	n	(P-14994/91; A-3468)	120.224 r (P-12137/91; A-139)
114.1	am	(P-15008/91; A-3512)	120.225 r (P-12137/91; A-139)
		(P-11401) (E-11662)	120.230 r (P-12137/91; A-139)
114.2	n	(P-15008/91; A-3512)	120.235 r (P-12137/91; A-139)
		(P-11401) (E-11662)	120.236 r (P-12137/91; A-139)
114.60	am	(P-15008/91; A-3512)	120.240 r (P-12137/91; A-139)
114.61	am	(P-15008/91; A-3512)	120.245 r (P-12137/91; A-139)
114.62	am	(P-15008/91; A-3512)	120.250 r (P-12137/91; A-139)
114.63	am	(P-15008/91; A-3512)	120.255 r (P-12137/91; A-139)
114.64	am	(P-15008/91; A-3512)	120.260 r (P-12137/91; A-139)
114.70	am	(P-15008/91; A-3512)	120.261 r (P-12137/91; A-139)
114.80	am	(P-15008/91; A-3512)	120.262 r (P-12137/91; A-139)
114.120	am	(P-15008/91; A-3512)	120.270 r (P-12137/91; A-139)
114.121	am	(P-15008/91; A-3512)	120.271 r (P-12137/91; A-139)
			120.272 r (P-12137/91; A-139)

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120.273	r	(P-12137/91; A-139)	140.442 am (P-12171/91; A-4006)
120.275	r	(P-12137/91; A-139)	140.449 am (P-12171/91; A-4006)
120.276	r	(P-12137/91; A-139)	140.469 am (P-13685/91; A-3552)
120.280	r	(P-12137/91; A-139)	140.512 am (P-13274/91; A-6849)
120.281	r	(P-12137/91; A-139)	140.513 r (P-13274/91; A-6849)
120.282	r	(P-12137/91; A-139)	140.514 am (P-11555/91; A-4006)
120.283	r	(P-12137/91; A-139)	140.526 r (P-472) (P-9393)
120.284	r	(P-12137/91; A-139)	140.527 r (P-472) (P-9393)
120.285	r	(P-12137/91; A-139)	140.528 r (P-472) (P-9393)
120.290	r	(P-12137/91; A-139)	140.529 r (P-472) (P-9393)
120.295	r	(P-12137/91; A-139)	140.530 am (P-15933/91; A-6408)
120.319	am	(P-12137/91; A-139)	140.538 am (P-15933/91; A-6408)
120.320	am	(P-12137/91; A-139)	140.539 am (P-472; A-11174)
120.321	am	(P-12137/91; A-139)	140.543 am (P-3045; A-12186)
120.322	am	(P-12137/91; A-139)	140.552 am (P-15933/91; A-6408)
120.323	am	(P-12137/91; A-139)	140.560 am (P-5585/91; A-7017)
120.384	am	(P-7761)	140.561 am (P-7482/91; A-3552)
121.25	am	(P-8898)	140.562 am (P-15933/91; A-6408)
121.34	am	(P-8039)	140.565 n (P-1492; A-12186)
121.58	am	(P-2420; A-10011)	140.566 am (P-4708)
121.63	am	(E-757) (P-6708)	140.569 am (P-15933/91; A-6408; RQ-9138; EC-11348)
		(P-18086; A-10011)	140.579 am (P-3409; A-12186)
121.72	am	(P-2420; A-10011)	140.583 am (P-15933/91; A-6408)
121.73	am	(P-2420; A-10011)	140.600 n (P-472)
121.91	am	(P-14186/91; A-10011)	140.602 n (P-472)
121.94	am	(P-14999/91; A-10011)	140.604 n (P-472)
130.200	am	(P-6931)	140.606 n (P-472)
140.2	am	(P-17171/91; A-174)	140.608 n (P-472)
		(P-6936)	140.610 n (P-472)
140.5	am	(P-17171/91; A-174)	140.612 n (P-472)
140.11	am	(P-6949/91; A-3552)	140.614 n (P-472)
140.12	am	(P-12116)	140.646 am (P-6949/91; A-1877)
140.13	am	(P-4708)	140.700 am (P-7576)
140.14	am	(P-4708)	140.835 r (P-15933/91; A-6408)
140.15	am	(P-7775)	141.10 r (P-12132/91; A-7922)
140.16	am	(P-4708) (P-8047)	141.100 r (P-12132/91; A-7922)
140.17	am	(P-8047)	141.200 r (P-12132/91; A-7922)
140.19	am	(P-4708)	141.240 r (P-12132/91; A-7922)
140.27	am	(P-65; A-10050) (E-300)	141.280 r (P-12132/91; A-7922)
140.31	n	(P-4708) (P-11721)	141.320 r (P-12132/91; A-7922)
		(E-11947)	141.360 r (P-12132/91; A-7922)
140.32	n	(P-4708)	141.400 r (P-12132/91; A-7922)
140.33	n	(P-4708)	141.440 r (P-12132/91; A-7922)
140.94	n	(P-15933/91; A-6408)	141.480 r (P-12132/91; A-7922)
140.95	n	(P-15933/91; A-6408)	141.520 r (P-12132/91; A-7922)
140.420	am	(P-10145)	141.560 r (P-12132/91; A-7922)
140.421	am	(P-7576) (P-10145)	141.600 r (P-12132/91; A-7922)
140.413	am	(P-6719)	141.640 r (P-12132/91; A-7922)
140.440	am	(P-12171/91; A-4006)	141.680 r (P-12132/91; A-7922)
140.441	am	(P-12171/91; A-4006)	141.720 r (P-12132/91; A-7922)

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240.430	am	(P-17007/91; M-2930; A-11731) (E-1739/91; S-1744; W-2955; M-2943)	305.20	am (P-5403)
240.435	am	(P-17007/91; M-2930 A-11731) (E-17398/91; S-1744; W-2955; M-2943)	305.30	am (P-5403)
240.451	n	(P-11363) (E-11625)	305.40	# (P-5403)
240.655	am	(E-4069; RC-6898) (P-14335/91; A-11403)	305.50	am (P-5403)
240.720	am	(P-17007/91; M-2930) (E-17398/91; S-1744; W-2955; M-2943) (E-2901)	305.60	am (P-5403)
240.720	r	(P-11363) (E-11625)	305.70	n (P-5403)
240.725	am	(P-17007/91; M-2930) (E-17398/91; S-1744; W-2955; M-2943)(2901)	305.80	# (P-5403)
240.725	r	(P-11363) (E-11625)	305.90	# (P-5403)
240.726	n	(E-2630)	305.100	# (P-5403)
240.726	r	(P-11363) (E-11625)	305.110	# (P-5403)
240.727	n	(P-11363) (E-11625)	305.120	# (P-5403)
240.728	n	(P-11363) (E-11625)	305.130	am (P-5403)
240.800	am	(E-2901) (P-11363) (E-11625)	305.140	# (P-5403)
240.810	am	(E-2901) (P-11363) (E-11625)	309.1	r (P-7982)
240.825	am	(E-2901) (P-11363) (E-11625)	309.2	r (P-7982)
240.855	am	(E-2901) (P-11363) (E-11625)	309.3	r (P-7982)
240.1600	am	(P-4087)	309.4	r (P-7982)
240.1605	am	(P-4087)	309.5	r (P-7982)
240.1610	am	(P-4087)	309.6	r (P-7982)
240.1620	am	(P-4087)	309.7	r (P-7982)
240.1625	am	(P-4087)	309.8	r (P-7982)
240.1630	am	(P-4087)	309.9	r (P-7982)
240.1635	am	(P-4087)	309.10	r (P-7982)
240.1640	am	(P-4087)	309.11	r (P-7982)
240.1645	am	(P-4087)	309.12	r (P-7982)
240.1650	am	(P-4087)	309.13	r (P-7982)
240.1655	am	(P-4087)	309.14	r (P-7982)
240.1660	am	(P-4087) (C-5083)	309.15	r (P-7982)
240.1661	n	(P-4087) (C-5083)	309.16	r (P-7982)
240.1665	am	(P-4087)	309.17	r (P-7982)
302.20	am	(P-7565)	309.18	r (P-7982)
302.390	am	(P-11979)	309.19	r (P-7982)
304.2	am	(P-7545)	309.20	r (P-7982)
305.10	#	(P-5403)	309.21	r (P-7982)
			309.22	r (P-7982)
			309.23	r (P-7982)
			335.100	am (P-8415/91; A-7633)
			335.102	am (P-8415/91; A-7633)
			335.200	am (P-8415/91; A-7633)
			335.202	am (P-8415/91; A-7633)
			335.300	am (P-8415/91; A-7633)
			335.302	am (P-8415/91; A-7633)
			335.304	am (P-8415/91; A-7633)
			335.306	am (P-8415/91; A-7633)
			335.308	r (P-8415/91; A-7633)
			335.310	am (P-8415/91; A-7633)
			335.312	am (P-8415/91; A-7633)
			335.314	am (P-8415/91; A-7633)
			335.316	am (P-8415/91; A-7633)
			335.318	am (P-8415/91; A-7633)
			335.320	am (P-8415/91; A-7633)

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335.326	am	(P-8415/91; A-7633)	377.2	am (P-7553)
335.328	am	(P-8415/91; A-7633)	377.4	am (P-7553)
335.330	am	(P-8415/91; A-7633)	378.1	r (P-7561)
335.332	am	(P-8415/91; A-7633)	378.2	r (P-7561)
335.334	am	(P-8415/91; A-7633)	378.3	r (P-7561)
335.336	am	(P-8415/91; A-7633)	378.4	r (P-7561)
335.338	am	(P-8415/91; A-7633)	402.15	am (P-11707) (E-11879)
336.10	n	(P-7963) (P-7963)	406.2	am (E-15088/91; M-2269)
336.20	n	(P-7963)	406.4	am (P-14734/91; A-7602)
336.30	n	(P-7963)	406.5	am (P-14734/91; A-7602)
336.40	n	(P-7963)	406.6	am (P-14734/91; A-7602)
336.50	n	(P-7963)	406.7	am (P-14734/91; A-7602)
336.60	n	(P-7963)	406.8	am (P-14734/91; A-7602)
336.70	n	(P-7963)	406.9	am (P-14734/91; A-7602)
336.80	n	(P-7963)	406.10	am (P-14734/91; A-7602)
336.90	n	(P-7963)	406.11	am (P-14734/91; A-7602)
336.100	n	(P-7963)	406.12	am (P-14734/91; A-7602)
336.110	n	(P-7963)	406.13	am (P-14734/91; A-7602)
336.120	n	(P-7963)	406.14	am (P-14734/91; A-7602)
336.130	n	(P-7963)	406.22	am (P-14734/91; A-7602)
336.140	n	(P-7963)	406.24	am (P-14734/91; A-7602)
336.150	n	(P-7963)	407.29	am (P-14729/91; A-7597)
336.160	n	(P-7963)	408.5	am (P-14764/91; A-8950)
336.170	n	(P-7963)	408.7	n (P-14764/91; A-8950)
337.10	n	(P-7999)	408.20	am (P-14764/91; A-8950)
337.20	n	(P-7999)	408.30	am (P-14764/91; A-8950)
337.30	n	(P-7999)	408.40	am (P-14764/91; A-8950)
337.40	n	(P-7999)	408.50	am (P-14764/91; A-8950)
337.50	n	(P-7999)	408.60	am (P-14764/91; A-8950)
337.60	n	(P-7999)	408.65	am (P-14764/91; A-8950)
337.70	n	(P-7999)	408.70	am (P-14764/91; A-8950)
337.80	n	(P-7999)	408.105	am (P-14764/91; A-8950)
337.90	n	(P-7999)	510.10	am (P-69; A-8537)
337.100	n	(P-7999)	510.20	am (P-69; A-8537)
337.110	n	(P-7999)	510.30	am (P-69; A-8537)
337.120	n	(P-7999)	510.40	am (P-69; A-8537)
337.130	n	(P-7999)	510.70	am (P-69; A-8537)
337.140	n	(P-7999)	510.80	am (P-69; A-8537)
337.150	n	(P-7999)	510.90	am (P-69; A-8537)
337.160	n	(P-7999)	510.100	am (P-69; A-8537)
337.170	n	(P-7999)	510.110	am (P-69; A-8537)
337.180	n	(P-7999)	510.110	am (P-69; A-8537)
337.190	n	(P-7999)	567.20	am (P-10403)
337.200	n	(P-7999)	567.30	am (P-10403)
337.210	n	(P-7999)	567.100	am (P-10403)
337.220	n	(P-7999)	587.70	am (P-18110/91; A-8235)
337.230	n	(P-7999)	597.20	am (P-3440)
337.240	n	(P-7999)	673.10	n (E-11682)
337.250	n	(P-7999)	673.20	n (E-11682)
352.Ap.A	am	(P-13229/91; A-3924)	673.30	n (E-11682)
			673.40	n (E-11682)