

Impact of Agency Rules on Small Businesses Review

Pursuant to P.A. 99-370/HB 3887, please scrutinize your agency's rules, administrative regulations, and permitting processes as they pertain to small businesses in order to identify those rules, regulations, and processes that are unreasonable, unduly burdensome, duplicative, or onerous to small businesses. Please provide an analysis that meets one or more of the following: (1) Recommend changes that will lessen the reporting and paper work requirements on small business while still achieving the intent of the underlying statute; (2) Eliminate unnecessary or antiquated permit requirements; (3) Consolidate duplicative or overlapping permit requirements; (4) Simplify overly complex or lengthy application procedures; (5) Expedite time-consuming agency review and approval procedures.

* Small business means a corporation that is independently owned and operated, not dominant in its field, and employs fewer than 50 full-time employees or has gross annual sales of less than \$4,000,000.

** Please categorize on a scale of 1-5 the degree to which you think the rule is burdensome to small businesses: 1- Not particularly burdensome through 5- highly burdensome

<u>Agency</u>	<u>Agency Program</u>	<u>Agency Rule Summary</u>	<u>Statutory / Administrative Reference</u>	<u>Impact on Small Business *</u>	<u>Degree of Impact Ranking**</u>	<u>Recommendation</u>	<u>Legislation / JCAR Change Needed?</u>
OSFM	Fire Equipment Distributor Statute and Rules	Licensing statute and rules for the fire equipment distributor industry	225 ILCS 217; 41 Ill. Adm. Code 251; 41 Ill. Adm. Code 280	Licensing renewals on an annual basis	4	Change renewal period for fire equipment distributors from annual to triennial (every three years). This can be accomplished by removing the word "annual" from the statute. OSFM intends to file legislation in 2022 to address this issue.	Yes, statutory change needed
OSFM	Fire Equipment Distributor Statute and Rules	Licensing statute and rules for the fire equipment distributor industry	225 ILCS 217; 41 Ill. Adm. Code 251; 41 Ill. Adm. Code 280	Paperwork and mailing costs	2	Continue to make certain forms and paperwork available online.	No
OSFM	Fire Sprinkler Contractor Licensing Act	Licensing statute for the fire sprinkler contractor industry	225 ILCS 317	Barriers to entry in the industry	4	OSFM has held several stakeholder meetings to hear from the industry about how the Act could be changed to potentially benefit small businesses. OSFM made changes to the Fire Sprinkler Contractor Licensing Act in 2021. Some stakeholders have opposed certain proposed adjustments that would have lowered barriers to entry in the industry, but OSFM remains open to listening to industry feedback that maintains public safety.	Yes, statutory change needed

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OSFM	Elevators	Statute that covers public safety measures regarding elevator installation, operation, and repair	225 ILCS 312	Paperwork and mailing costs	2	Continue to make applications for registration and other items available online via OSFM's webpage. OSFM has already made certain aspects available online to cut down on paperwork and mailing costs (e.g., applications for registration of conveyance and certificates of operation are made available online for small businesses and the public alike to fill out).	No
OSFM	Boilers	Statute that governs the boiler and pressure vessel industry	430 ILCS 75	Paperwork and mailing costs	2	Continue to make items available online via OSFM's webpage. OSFM has already made certain aspects available online to cut down on paperwork and mailing costs (e.g., invoices may be paid online, applications for owner registration forms, license renewal form, and inspection request form are made available online for small businesses and the public alike to fill out).	No
OSFM	Boilers	Statute that governs the boiler and pressure vessel industry	430 ILCS 75	Publication of licensed repair firms (small businesses)	1	Continue to make available on OSFM's webpage a list of all of the licensed repair firms that are authorized to do business in Illinois. This lists allows citizens to effectively and efficiently locate and contact small businesses that are duly licensed by the OSFM.	No

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OSFM	Fire Prevention	Fire Prevention Division, among other items, conducts inspections of buildings for compliance with the Life Safety Code	41 Ill. Adm. Code 160; 41 Ill. Adm. Code 180	Paperwork and mailing costs	2	Continue to make items available online via OSFM's webpage. OSFM has already made certain aspects available online to cut down on paperwork and mailing costs (e.g., above ground storage tank application is made available online for small businesses and the public alike to fill out).	No
OSFM	Petroleum and Chemical Safety	Petroleum and Chemical Safety Division manages the problems caused by the thousands of underground storage tank systems containing petroleum or hazardous chemicals	430 ILCS 15	Paperwork and mailing costs	2	Continue to make items available online via OSFM's webpage. OSFM has already made certain aspects available online to cut down on paperwork and mailing costs (e.g., numerous forms and applications are made available online for small businesses and the public alike to fill out).	No
OSFM	Petroleum and Chemical Safety	Petroleum and Chemical Safety Division manages the problems caused by the thousands of underground storage tank systems containing petroleum or hazardous chemicals	430 ILCS 15	Small businesses dealing with issues that may be technical or complicated	3	Continue to make notifications available online via OSFM's webpage for the benefit of small businesses and other entities that assist in interpreting relevant regulations and policies that may be technical or complicated.	No

Impact of Administrative Regulations on Small Businesses Review

Pursuant to P.A. 99-370/HB 3887, please scrutinize your agency's rules, administrative regulations, and permitting processes as they pertain to small businesses in order to identify those rules, regulations, and processes that are unreasonable, unduly burdensome, duplicative, or onerous to small businesses. Please provide an analysis that meets one or more of the following: (1) Recommend changes that will lessen the reporting and paper work requirements on small business while still achieving the intent of the underlying statute; (2) Eliminate unnecessary or antiquated permit requirements; (3) Consolidate duplicative or overlapping permit requirements; (4) Simplify overly complex or lengthy application procedures; (5) Expedite time-consuming agency review and approval procedures.

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<u>Agency</u>	<u>Agency Program</u>	<u>Administrative Regulation Summary</u>	<u>Statutory / Administrative Reference</u>	<u>Impact on Small Business *</u>	<u>Degree of Impact Ranking**</u>	<u>Recommendation</u>	<u>Legislation / JCAR Change Needed?</u>
OSFM	Fire Equipment Distributor Statute and Rules	Licensing statute and rules for the fire equipment distributor industry	225 ILCS 217; 41 Ill. Adm. Code 251; 41 Ill. Adm. Code 280	Licensing renewals on an annual basis	4	Change renewal period for fire equipment distributors from annual to triennial (every three years). This can be accomplished by removing the word "annual" from the statute. OSFM intends to file legislation in 2022 to address this issue.	Yes, statutory change needed
OSFM	Petroleum and Chemical Safety	Petroleum and Chemical Safety Division manages the problems caused by the thousands of underground storage tank systems containing petroleum or hazardous chemicals	430 ILCS 15	Complicated regulations	3	Continue to make (and update as needed) the Frequently Asked Questions ("FAQs") available online via OSFM's webpage for the benefit of small businesses and other entities that assist in interpreting relevant administrative regulations that may be complicated or confusing.	No

<u>Agency</u>	<u>Agency Program</u>	<u>Administrative Regulation Summary</u>	<u>Statutory / Administrative Reference</u>	<u>Impact on Small Business *</u>	<u>Degree of Impact Ranking**</u>	<u>Recommendation</u>	<u>Legislation / JCAR Change Needed?</u>
OSFM	Petroleum and Chemical Safety	Petroleum and Chemical Safety Division manages the problems caused by the thousands of underground storage tank systems containing petroleum or hazardous chemicals	41 Ill. Adm. Code 174; 41 Ill. Adm. Code 175; 41 Ill. Adm. Code 176; 41 Ill. Adm. Code 177	Impact of adopting and incorporating required federal EPA's underground storage tank rules into the state's rules	3	After OSFM adopted rules to reflect the required federal EPA standards, OSFM has continued to conduct outreach to stakeholders and industry participants (including small businesses) to understand the required federal EPA rules that were incorporated into the state's rules. These required federal rules have an impact on small businesses, but are unavoidable because Illinois is obligated to adopt the requirements contained within the federal EPA rules.	No

Impact of Permitting Processes on Small Businesses Review

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** Please categorize on a scale of 1-5 the degree to which you think the process is burdensome to small businesses: 1- Not particularly burdensome through 5- highly burdensome

<u>Agency</u>	<u>Agency Program</u>	<u>Permitting Process Summary</u>	<u>Statutory / Administrative Reference</u>	<u>Impact on Small Business *</u>	<u>Degree of Impact Ranking**</u>	<u>Recommendation</u>	<u>Legislation / JCAR Change Needed?</u>
OSFM	Elevators	Conveyance permits are required to erect, install, construct, or materially alter any conveyance	225 ILCS 312	Contractors (i.e., small businesses) have to submit the form	2	Continue to make forms available online to make it less onerous on small businesses to properly apply for permits	No
OSFM	Fire Prevention	Permits are required prior to the installation of aboveground storage tanks (ASTs) whereafter they are inspected upon completion of the installation (inspections beyond the initial post-installation inspection are only conducted upon receipt of a complaint)	41 Ill. Adm. Code 160; 41 Ill. Adm. Code 180	Contractors (i.e., small businesses) have to submit the form	2	Continue to make forms available online to make it less onerous on small businesses to properly apply for permits	No
OSFM	Fire Prevention	Permits are required prior to the installation of certain liquified petroleum gas tanks (LPGs) whereafter they are inspected upon completion of the installation (inspections beyond the initial post-installation inspection are only conducted upon receipt of a complaint)	41 Ill. Adm. Code 200	Contractors (i.e., small businesses) have to submit the form	2	Continue to make forms available online to make it less onerous on small businesses to properly apply for permits	No
OSFM	Petroleum and Chemical Safety	Underground storage tank (UST) permits are required for certain regulated activities	430 ILCS 15	Contractors (i.e., small businesses) have to submit the form	2	Continue to make forms available online to make it less onerous on small businesses to properly apply for permits	No