

*Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.*

## New Rules

### ■ NUCLEAR FACILITIES

The ILLINOIS EMERGENCY MANAGEMENT AGENCY adopted amendments to Safe Operation of Nuclear Facility Boilers and Pressure Vessels (32 IAC 505; 40 Ill Reg 12497), effective 1/4/17, updating requirements and incorporated standards to align with current

nuclear industry practice. The amendments clarify the requirements for authorized inspectors and the procedures for inservice inspection of boilers/pressure vessels in nuclear facilities. Also, administrative hearings associated with this Part are made subject to IEMA's own hearing rules (32 IAC 200) rather than to the State Fire Marshal's

administrative hearing process for boilers and pressure vessels. Businesses that inspect or insure nuclear facility boiler and pressure vessels are affected by this rulemaking.

Questions/requests for copies: Traci Burton, IEMA, 1035 Outer Park Drive, Springfield IL 62704; 217/785-9860.

## Proposed Rulemaking

### ■ COMMERCIAL FISHING

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to Commercial Fishing and Musseling in Certain Waters of the State (17 IAC 830; 41 Ill Reg 631) clarifying that priority in random drawings for special use permits will be given

to applicants issued a permit for the same body of water in the previous year. Other amendments allow up to 2 (currently, 1) special use permits for Otter Creek in Greene County and Macoupin Creek in Jersey and Greene counties, and allow up to 3 (currently, 1) special use permits for Quincy Bay.

Commercial fishermen are affected by this rulemaking.

Questions/requests for copies/comments through 3/5/17: Renee Snow, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/782-1809.

**NEW RULES:** Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

**PROPOSED RULES:** Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

**PEREMPTORY RULES:** Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

**QUESTIONS/COMMENTS:** Submit mail, email or phone calls to the agency personnel listed below each summary.

**RULE TEXT:** Available on the Secretary of State ([www.cyberdriveillinois.com](http://www.cyberdriveillinois.com)) and General Assembly ([www.ilga.gov](http://www.ilga.gov)) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

## Second Notices

---

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's February 15, 2017 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

### **DEPT OF FINANCIAL AND PROFESSIONAL REGULATION**

Illinois Credit Union Act (38 IAC 190; 40 Ill Reg 14443) proposed 10/28/16

### **DEPT OF HEALTHCARE AND FAMILY SERVICES**

Medical Payment (89 IAC 140; 40 Ill Reg 14999) proposed 11/4/16

### **DEPT OF NATURAL RESOURCES**

The Illinois Oil and Gas Act (62 IAC 240; 40 Ill Reg 15466) proposed 11/18/16

### **DEPT OF PUBLIC HEALTH**

Heartsaver AED Grant Code (77 IAC 530; 40 Ill Reg 15124) proposed 11/4/16

Certified Local Health Department Code (77 IAC 600; 40 Ill Reg 7021) proposed 5/6/16

## **Joint Committee on Administrative Rules**

**Senator Bill Brady**

**Representative Tom Demmer**

**Senator Karen McConnaughay**

**Representative Greg Harris**

**Senator Don Harmon**

**Representative Lou Lang**

**Senator Tony Muñoz**

**Representative André Thapedi**

**Senator Ira Silverstein**

**Representative Keith Wheeler**

**Senator Chuck Weaver**

**Vicki Thomas  
Executive Director**