**Section 1075.120 Procedure**

a) The Illinois Department of Nuclear Safety will follow the rulemaking procedure established by the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001-1 et seq.) in the adoption and filing of its rules.

b) Rules adopted by the Department are filed with the Office of the Secretary of State and published as adopted rules in the Illinois Register as provided in Sections 5-35 and 5-65 of the Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1005-35 and 1005-65).

c) Rules may be proposed by the Director and members of the Administrative Staff in consultation with their offices, divisions, or sections, but shall be issued only by the Director.

d) Rule-making which creates or expands a State mandate on units of local government, school districts, or community college districts is subject to the State Mandates Act (Ill. Rev. Stat. 1981, ch. 85, pars. 2201 et seq.). The required Statement of Statewide Policy Objectives shall be published in the Illinois Register at the time that the first notice under Section 5.01 is published or when the rule is published under Section 5.02 or 5.03. (PA 79-1083; Amended by PA 80-1035, effective September 27, 1977; Amended by PA 81-1562, effective January 16, 1981).

e) Rules adopted by the Department shall be made available to employees and interested persons.

f) Rules adopted by the Department shall be available for public inspection during normal working hours at 1035 Outer Park Drive, Springfield, Illinois 62704.

g)

1) Members of the public may submit comments on proposed rules directly to the Department as provided in Section 5-40 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 5-40).

2) Members of the public may petition the Department for adoption, modification or repeal of the rules of the Department as provided under Section 5-145 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-145).

A) Comments and petitions shall be addressed:

Director

Illinois Department of Nuclear Safety

1035 Outer Park Drive

Springfield, Illinois 62704

B) The Department will consider such comments and petitions and inform the petitioner of the disposition of the comment or petition in writing. Such comments and petitions must be in writing and must contain the following information:

i) The names and addresses of the persons or groups presenting the comment or petition.

ii) The specific rules of the Department which the petitioner believes should be modified or repealed or the specific language the petitioner believes should be adopted as a rule by the Department.

iii) A description of the effect of the rules or lack of rules on the persons or groups presenting the comment or petition.

iv) The specific reasons the petitioner believes that the Department should take the rulemaking action.

v) Any additional facts or documentation necessary to explain and support the comment or petition.