**Section 101.110 Public Participation**

a) General. The Board encourages public participation in all its proceedings. The extent to which the law allows for the participation varies, depending on the type of Board proceeding involved, the party status of the person or persons seeking to participate, and the rules governing that type of proceeding. Public participation may be more specifically delineated by Board or hearing officer order consistent with applicable law and the Board's procedural rules. (See Sections 101.114 and 101.628.)

b) Party/Non-Party Status. The issue of who is a proper party in each type of adjudicatory proceeding before the Board is addressed in the rules. A person who wishes to participate in a Board adjudicatory proceeding and who is not a party will be considered a participant and will have only those rights specifically provided in these rules. A person who wishes to participate in a Board regulatory or time-limited water quality standard proceeding will be considered a participant and will have only those rights specifically provided in this Part.

c) Amicus Curiae Briefs. Amicus curiae briefs may be filed in any adjudicatory proceeding by any interested person, if the Board grants permission. Response briefs will be allowed only with Board permission. The briefs must consist of argument only and must not raise facts that are not in evidence in the relevant proceeding. Amicus curiae briefs, and any responses, will be considered by the Board only as time allows. The briefs will not delay the Board's decision-making. (See also Section 101.302(k).)

d) Public Remarks at a Board Meeting. During the period designated for public remarks, any person physically present, once recognized by the Chairman, may make public remarks to the Board concerning a proceeding listed on that meeting's agenda.

1) Sign-In Sheet. Beginning at least 15 minutes before the scheduled start of each Board meeting, a public remarks sign-in sheet will be available to the public at the meeting. Anyone who wishes to make public remarks at the meeting must provide the following information on the sign-in sheet:

A) Full name;

B) Any person he or she is representing; and

C) The docket number of the proceeding on which he or she would like to make public remarks.

2) Time Limits. A period of up to 30 minutes at the beginning of each Board meeting, as designated on the meeting agenda, is reserved for public remarks. The Chairman may extend the public remarks portion of the meeting as necessary to accommodate persons who signed in under subsection (d)(1). A person's public remarks on a proceeding must not exceed five minutes in length, but this period may be extended with the Chairman's permission.

3) Nature of Public Remarks. Public remarks are not made under oath or affirmation and are not subject to cross-examination. Public remarks that are relevant to the proceeding for which they are made may be considered by the Board, but factual statements made during public remarks are not evidence in the proceeding. The public remarks portion of a Board meeting is not a hearing and cannot be used to offer documentary or other physical evidence to the Board. The Chairman may direct persons to stop public remarks that are irrelevant, repetitious, or disruptive. Persons engaging in disorderly conduct may be asked by the Chairman to leave the meeting.

4) Transcription. The Board will arrange for public remarks to be transcribed. Transcripts of public remarks will be made a part of the record of the proceeding to which the remarks correspond. (See 5 ILCS 120/2.06(g).)

(Source: Amended at 43 Ill. Reg. 9674, effective August 22, 2019)