**Section 103.300 Request for Relief from Hearing Requirement in State Enforcement Proceeding**

a) *Whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a proposed stipulation and settlement accompanied by a request for relief from the requirement of a hearing* pursuant to Section 31(c)(1) of the Act. [415 ILCS 5/31(c)(2)] The proposed stipulation and settlement agreement must conform to the statement required for settlement submissions at hearing in Section 103.302.

b) Unless the Board concludes that a hearing will be held, the Board will cause notice of the proposed stipulation and settlement, and request for relief, to be published and sent, as is required for hearing, by the Clerk's office. The notice will include a statement that any person may file with the Clerk:

1) A written demand for a hearing within 21 days after publication of the notice. The written demand for hearing must state that a public hearing is requested and must indicate the assigned Board Docket number and respondent's name in the matter; or

2) In the case of proposed stipulations and settlements that relate to NPDES permits, a written comment or demand for hearing within 30 days after publication. The written demand for hearing must state that a public hearing is requested and must indicate the assigned Board Docket number and respondent's name in the matter.

c) *If any person files a timely written demand for a hearing, the Board will deny the request for relief from a hearing and will hold a hearing in accordance with the notice provisions of Section 31(c)(1) of the Act.* [415 ILCS 5/31(c)(2)] A copy of the proposed stipulation and settlement will be entered into and presented for the record.

(Source: Amended at 41 Ill. Reg. 10032, effective July 5, 2017)