**Section 103.302 Contents of Proposed Stipulation and Settlement Agreement**

No proceeding pending before the Board will be disposed of or modified without an order of the Board. A proposed stipulation and settlement agreement must contain a written statement, signed by the parties or their authorized representatives, outlining the nature of, the reasons for, and the purpose to be accomplished by the settlement. The written statement must include:

a) A full stipulation of all material facts pertaining to the nature, extent, and causes of the alleged violations proposed to be settled;

b) The nature of the relevant parties' operations and control equipment;

c) *Facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved, including*:

1) *the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people*;

2) *the social and economic value of the pollution source;*

3) *the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved*;

4) *the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such* *pollution source; and*

5) *any subsequent compliance*. [415 ILCS 5/33(c)]

d) Details as to future plans for compliance, including a description of additional control measures and the dates for their implementation, if any; and

e) The proposed penalty, if any, supported by factors in mitigation or aggravation of penalty, including the factors set forth in Section 42(h) of the Act [415 ILCS 5/42(h)].

(Source: Amended at 29 Ill. Reg. 8793, effective June 8, 2005)