**Section 104.214 Notice of Petition**

a) Within 14 days after the petition is filed, the petitioner must *publish a single notice of such petition in a newspaper of general circulation in* the county where the facility or pollution source is located. [415 ILCS 5/37(a)]

b) Upon filing a petition for variance, the petitioner *shall promptly give written notice of such petition to*:

1) *Any person in the county in which the installation or property for which variance is sought is located who has filed with the Board a written request for notice of variance petitions;*

2) *The State's attorney of such county*;

3) *The Chairman of the County Board of such county*; and

4) *Each member of the General Assembly from the legislative district in which that installation or property is located*. [415 ILCS 5/37(a)]

c) Upon receipt of a petition for RCRA variance, the Agency must promptly give notice of the petition to:

1) Federal agencies as designated by USEPA;

2) Illinois Department of Transportation;

3) DNR;

4) Illinois Department of Public Health;

5) The Governor of any other state adjacent to the county in which the facility or pollution source is located; and

6) Elected officials of any counties, in other states, adjacent to the county in which the facility or pollution source is located, and elected officials in any municipality, in another state, if it is the closest population center to the facility or pollution source.

7) The general public by broadcast over at least one local radio station in the area of the facility or pollution source containing the information required by subsections (d) and (e).

d) All *notices required by this Section* must include the following:

1) *The street address* of the facility or pollution source, *and if there is no street address, then the legal description or the location with reference to any well-known landmark, highway, road, thoroughfare or intersection* [415 ILCS 5/37(a)];

2) A description of the requested relief;

3) An indication that any person may request a hearing by filing with the Board a written objection to the grant of the variance within 21 days after the publication of the petitioner's notice, together with a written request for hearing;

4) The Clerk's address and phone number, the Board's website address, and a statement that a copy of the variance petition may be obtained through the Clerk's Office or COOL, located on the Board's website;

5) A statement that the Agency is preparing a recommendation and seeking the views of persons who may be adversely affected by the variance. All comments and inquiries should be addressed to the Agency employee responsible for the recommendation within 21 days after publication of the petitioner's notice. The notice must include the date on which the recommendation is to be filed, and the name, address, email address, and telephone number of the Agency employee responsible for the recommendation;

6) A statement that a hearing may be held after the filing of the recommendation and that the record will remain open for written comments for 45 days after filing of the recommendation. The notice will include the address of the Board to which the comments must be mailed;

7) A statement that the record in the variance proceeding is available at the Board office for inspection, except those portions that are protected from disclosure under 35 Ill. Adm. Code 130, and that procedures are available whereby disclosure may be sought by the public;

8) A statement that variances may be granted under Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code 104, and a reference to the Board regulations or order from which a variance is sought; and

9) Any additional information considered necessary or proper.

e) Within 21 days after the publication of notice, the petitioner must file with the Board a certification of publication that states the date on which the notice was published and must attach a copy of the published notice.

(Source: Amended at 41 Ill. Reg. 10049, effective July 5, 2017)