**Section 106.208 Recommendation and Response**

The Agency must file a recommendation on a petition under this Subpart as prescribed in this Section. The petitioner, any other party to the proceeding, or any person may file a response to the Agency recommendation within 14 days after the filing of the recommendation.

a) Heated Effluent Demonstration

Within 60 days after the owner or operator files the petition, the Agency must make a recommendation to the Board on the petition. The recommendation may include:

1) A description of the Agency's efforts in conducting its review of the petition;

2) The Agency's conclusion as to whether discharges from the source have caused or can reasonably be expected to cause significant ecological damage to the receiving waters;

3) The factual basis for the Agency's conclusion;

4) Any corrective measures that the Agency recommends be taken and the recommended time period to implement the measures; and

5) The Agency's recommendation on how the Board should dispose of the petition.

b) Artificial Cooling Lake Demonstration

Within 60 days after the owner or operator files the petition, the Agency must make a recommendation to the Board on the petition. The recommendation may include:

1) A description of the Agency's efforts in conducting its review of the petition;

2) The Agency's conclusion as to whether the artificial cooling lake receiving the heated effluent will be environmentally acceptable and within the intent of the Act;

3) The factual basis for the Agency's conclusion; and

4) The Agency's recommendation on how the Board should dispose of the petition.

c) Sulfur Dioxide Demonstration

Within 90 days after the filing of the petition the Agency must make a recommendation to the Board as to be proposed site-specific emission limitation. The recommendation may include, the following:

1) A description of the efforts made by the Agency in conducting its review;

2) The Agency's conclusion as to whether the proposed site-specific emission limitation is adequate to prevent violations of the Primary and Secondary Sulfur Dioxide Ambient Air Quality Standards; and

3) The Agency's conclusion as to what disposition should be made of the petition.

(Source: Amended at 41 Ill. Reg. 10104, effective July 5, 2017)