**Section 106.728 Settlement Procedure**

a) All parties to any proceeding in which a settlement is proposed must file with the Clerk before the time of the scheduled hearing a written statement, signed by the parties or their authorized representatives, that outlines the nature of, the reasons for, and the purpose to be accomplished by, the settlement. The statement must contain:

1) A full stipulation of all material facts that pertain to the nature, extent and causes of the alleged violations;

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

3) Any explanation for past failures to comply and an assessment of the impact on the public from the failure to comply;

4) Details about future plans for compliance, including a description of additional control measures and the dates on which they will be implemented; and

5) The proposed performance assurance payment, if any.

b) If an agreed settlement is filed under this Section, the Board may dismiss the proceeding without holding a hearing.

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