**Section 130.201 State Agency Request for Justification of Claims**

a) The State agency may request that the owner of an article claimed to represent a trade secret submit a statement of justification meeting the requirements of Section 130.203. The State agency may make the request when the article is submitted or obtained, or at any later time.

b) The request under subsection (a) must be in writing. The State agency must set forth in the request the reasoning for the request. Reasons for the request may include the following:

1) The State agency has received or reasonably expects to receive a request from the public to disclose the article;

2) The article is required to be available to the public in a proceeding before the State agency;

3) Information within the article is required to be contained in a permit issued by the State agency;

4) To facilitate public participation in a proceeding before the State agency;

5) A regulation requires that the State agency determine whether the article represents a trade secret at the time that the article is submitted to or obtained by the State agency; or

6) Determining the validity of the claim will facilitate the timely performance of State agency responsibilities.

(Source: Amended at 41 Ill. Reg. 10190, effective July 5, 2017)