

SECOND NOTICE OF PROPOSED RULEMAKING

- 1) AGENCY: Illinois Emergency Management Agency
- 2) TITLE OF RULE: Registration and Operator Requirements For Radiation Installations
- 3) CODE CITATION: 32 Ill. Adm. Code 320
- 4) DATE NOTICE PUBLISHED IN ILLINOIS REGISTER: 48 Ill. Reg. 14073; September 27, 2024
- 5) TEXT AND LOCATION OF ANY CHANGES MADE IN THE RULE DURING THE FIRST NOTICE PERIOD: None
- 6) RESPONSE TO RECOMMENDATIONS FROM THE ADMINISTRATIVE CODE DIVISION: The Administrative Code Division found this Part to be in compliance with codification system requirements.
- 7) DOES THIS RULEMAKING INCLUDE ANY INCORPORATION BY REFERENCE PURSUANT TO SECTION 5-75 OF THE ILLINOIS ADMINISTRATIVE PROCEDURE ACT? No
- 8) FINAL REGULATORY FLEXIBILITY ANALYSIS:
 - a) A summary of the issues raised by small businesses during the first notice period: None
 - b) A description of actions taken on any alternative to the proposed rulemaking suggested by small businesses during the first notice period, including reasons for rejecting any alternatives not utilized: None
- 9) A STATEMENT OF THE METHODS USED BY THE AGENCY TO COMPLY WITH SECTION 5-30 OF THE ACT AND SECTION 220.285 OF THIS PART: No special attempts to contact small businesses or entities, as no adverse impacts are anticipated.
- 10) AGENCY'S EVALUATION OF THE COMMENTS PRESENTED TO THE AGENCY BY INTERESTED PERSONS DURING THE FIRST NOTICE PERIOD:
 - a) A list of all persons or organizations making comments on the proposed rulemaking: See attached
 - b) A list of specific criticisms, suggestions and comments raised by interested persons, and the Agency's analysis of each of these criticisms, suggestions and comments: See attached

- c) Any changes made to the rules by the Agency as a result of the criticisms, suggestions, and comments made by interested persons: See attached
- d) The names of all persons or organizations requesting a public hearing and the date of any public hearings held on the proposed rulemaking: None

11) JUSTIFICATION AND RATIONALE FOR THE PROPOSED RULEMAKING, INCLUDING:

- a) Citations to changes in Illinois laws that require the rulemaking: None
- b) Explanation of changes in Agency policies and procedures that require the rulemaking: None
- c) Citations to federal laws, rules or regulations or to funding requirements that require the rulemaking: None
- d) Citations and copies of court orders or decisions that require the rulemaking: None
- e) A complete explanation of any other reasons for the proposed rulemaking: IEMA is proposing amendments to Part 320 to include a Purpose and Scope section to clarify which radiation machines are covered by the part; add definitions to provide clarification of terms used; and update language to align technology of radiation machines and the associated radiation hazard located at the radiation installation with the annual fees. IEMA is changing language to place the burden on radiation installations to ensure their registration is updated prior to the annual billing of fees. IEMA is also adding a requirement of notification and exemption for legal proceedings.

12) NAME OF THE AGENCY REPRESENTATIVE WHO WILL RESPOND TO THE JOINT COMMITTEE'S QUESTIONS REGARDING THE PROPOSED RULEMAKING:

Louise Conway, Staff Attorney
IEMA-OHS
1035 Outer Park Drive
Springfield, IL 62704
217-785-9876

13) ANALYSIS OF ECONOMIC AND BUDGETARY EFFECTS: See attached

14) ANY NEW OR REVISED FORM REFERENCED IN RULEMAKING: None