**Section 2175.105 Board Membership**

a) The Board was created under Section 5 of the Environmental Protection Act (Act) [415 ILCS 5/5]. The Board is a quasi-legislative and quasi-judicial administrative agency responsible for adopting environmental regulations and deciding certain environmental disputes and cases brought under the Act. The Board determines, defines, and implements environmental control standards in compliance with the Act.

b) The Board is comprised of five technically qualified members. The members are appointed by the Governor with the advice and consent of the Senate, for a term of three years.

c) The Governor designates one member to serve as Chair. The Chair serves at the pleasure of the Governor and is responsible for the administration of the Board.

d) Under Section 3.1 of the Executive Reorganization Implementation Act [15 ILCS 15/3.1], the Board is an agency of State government that is *created by law with the primary responsibility of exercising regulatory or adjudicatory functions independently of the Governor.* As such, the Board is excluded from the term "*Agency directly responsible to the Governor"* or "*agency"* as defined in the Executive Reorganization Implementation Act [15 ILCS 15/3.1].

(Source: Amended at 44 Ill. Reg. 14166, effective August 21, 2020)