**Section 130.110 General Program Requirements**

a) Reporting requirement. Recipients will be required to submit Monthly Progress Reports to the Department during the grant term, including information on the number of jobs created or retained. Recipients shall also be required to provide production data/records for the performance period specified by the Department. The grant term/performance period will be determined on a project specific basis.

b) Disbursement of grant funds. Notwithstanding selection for a grant award pursuant to this Part, disbursement of grant funds is contingent upon the following requirements:

1) Submission of a fully executed grant agreement;

2) Submission of a fully executed Project Labor Agreement for the construction of the project;

3) Submission of evidence of a commitment from a primary lender for all financing necessary to complete the project, or evidence that the grantee has secured other means of financing.

c) Freedom of Information Act/confidential information. Funded proposals are subject to disclosure, in response to requests received under provisions of the Freedom of Information Act [5 ILCS 140]. Information that may reasonably be considered to be proprietary, privileged or confidential commercial or financial information should be identified as such in the proposal. The Department will maintain the confidentiality of that information only to the extent permitted by law.

d) Ownership/use of equipment. Grant recipients may not sell, lease, transfer assignment or encumber any equipment or material purchased with grant funds, without the express written approval of the Department, for the duration of the grant term/performance period.

e) Dissemination of information/technology transfer. Recipients will be contractually required to allow the Department access to the project site and allow the Department to obtain, publish, disseminate or distribute any and all information obtained from the project (except any data or information that has been negotiated as being confidential or proprietary), without restriction and without payment or compensation by the Department.

f) Recapture of grant funds. A recipient must operate the plant to produce renewable fuels for a period of five years. In the event that the plant ceases production during that period, or fails to create and maintain the number of jobs specified in the Grant Agreement, the Department reserves the right to require appropriate proportional repayment of funds up to the entire amount of the grant.

g) The Director may elect to waive enforcement of any provision of this Part or of a contractual provision arising out of a Arant Agreement based on a finding that the waiver is necessary to avert any imminent and demonstrable hardship to the recipient that may result in the recipient's insolvency or discharge of workers.

h) In addition to compliance with any federal, State or local permitting requirements, funded projects will be subject to review by the following Illinois agencies: Departments of Natural Resources, Historic Preservation and Agriculture and the Illinois Environmental Protection Agency. Recipients will be required to comply with requirements established by these agencies relative to their respective reviews. Recipients will be responsible for coordinating directly with the applicable external agencies. Any requirements communicated to the Department shall be incorporated into the agreement awarded as of its execution date, or if received from the applicable agency subsequent to execution, as an addendum to the agreement. Recipients will be contractually obligated to comply with these requirements. Prior to notification of compliance by the applicable agency, recipients may request disbursement of funds only for the following purposes: administrative, contractual, legal, engineering or architectural/engineering costs incurred that are necessary to allow for compliance by the recipient with requirements established by the external agency. Funds will not be disbursed for land acquisition or any activity that physically impacts the project site until the Department receives the appropriate sign-off from the applicable agencies.