**Section 365.460 Loan Closing and Issuance of Final Loan Amendment**

a) The Agency shall conduct a project review to ensure that all applicable loan conditions have been satisfied. After the final loan disbursement has been made and the project is complete, the loan recipient shall initiate the loan closing process by submitting the following to the Agency:

1) A release discharging the State of Illinois, its officers, agents, and employees from all liabilities, obligations, and claims arising out of the project work or under the loan, subject only to exceptions specified in the release.

2) A final waiver from the contractor and a Certification of Payment that all bills have been paid.

3) The Certificate Regarding O & M, on forms prescribed by the Agency that certifies the following:

A) Training pertaining to the proper operation and maintenance of the equipment and process units included in the project has been provided;

B) An operation and maintenance reference library is available and includes, but is not limited to, the following:

i) Manufacturer's literature, shop drawings, and warranties;

ii) The plans of record with valve indices for the equipment and process units included in the project. For mechanical wastewater treatment plants, the valve index shall include a listing of valve positions for each possible alternate flow configuration including by-passing of individual treatment processes and units and recommended configurations for emergency conditions that could reasonably be expected to occur; and

C) That the loan applicant employs or contracts the services of a certified operator pursuant to 35 Ill. Adm. Code 380.

4) If the loan project includes insurable structures that will be located within a designated floodplain area as defined in the National Flood Insurance Act of 1968 (42 USC 4001-4127), written evidence that the loan recipient is participating in the National Flood Insurance Program or that construction areas have received official exclusion from the flood insurance requirements by the Federal Emergency Management Agency.

A) The loan recipient (or the construction contractor, as appropriate) shall acquire any flood insurance made available to it under the National Flood Insurance Act of 1968, as amended, and maintain the insurance for the entire useful life of the insurable structures.

B) The amount of insurance required shall be the lesser of the total project cost, excluding facilities that are uninsurable under the National Flood Insurance Program, or the maximum limit of coverage made available to the loan recipient under the National Flood Insurance Act of 1968.

C) The required insurance premium for the period of construction under this subsection (a)(4) shall be for an eligible project cost under Section 365.430 (Loan Eligible Costs).

5) For a project constructed to repair, replace or expand a treatment works that is eligible for assistance under Section 365.130(a), the public loan recipient shall certify in writing that the public loan recipient has developed and implemented a fiscal sustainability plan that includes the requirements in Section 365.350(a)(7).

6) Within 30 days after completion of project construction, the loan recipient shall submit, in writing to the Agency, the final change order, along with the contractor's final costs, and the plans of record. After receipt, the Agency may schedule a final onsite inspection provided that all necessary change orders have been submitted and approved.

b) After the loan recipient has submitted all the loan closing documents in subsection (a), the Agency shall:

1) review and determine the final total and eligible costs;

2) establish a final amortization schedule; and

3) issue the loan recipient a final loan amendment.

c) After final loan closing, Agency personnel or any authorized Agency representative shall have access to the project records, as defined in Section 365.470, and to the project site during normal business hours, to the full extent of the loan recipient's right to access.

(Source: Amended at 43 Ill. Reg. 11141, effective October 1, 2019)