**Section 740.910 Application for Final Review and Payment of Remediation Costs Following Perfection of No Further Remediation Letter**

a) The RA for any site enrolled in the Site Remediation Program may submit an application for final review and payment of remediation costs following perfection of a No Further Remediation Letter.

b) The application must be submitted on forms prescribed and provided by the Agency and must include, at a minimum, the following information:

 1) Identification of RA and remediation site, including:

A) The full legal name, address and telephone number of the RA, any authorized agents acting on behalf of the RA, and any contact persons to whom inquiries and correspondence must be addressed;

B) The address, site name, tax parcel identification number(s) and Illinois inventory identification number for the remediation site;

C) The date of acceptance of the remediation site into the Site Remediation Program; and

D) The Federal Employer Identification Number (FEIN) or Social Security Number (SSN) of the RA;

2) A true and correct copy of the No Further Remediation Letter, or affidavit(s) under Section 740.620(a)(2) of this Part stating that the No Further Remediation Letter has issued by operation of law, for the remediation site, as recorded in the chain of title for the site and certified by the appropriate County Recorder or Registrar of Titles;

3) *A* true and correct *copy of* DCEO's *letter approving eligibility, including the net economic benefit of the remediation project* [415 ILCS 5/58.15(B)(e)(4)]*;*

4) Itemization and documentation of remediation activities for which payment is sought and of remediation costs incurred, including invoices, billings and dated, legible receipts with canceled checks or other Agency-approved methods of proof of payment;

5) A certification, signed by the RA or authorized agent and notarized, as follows:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [name of RA, if individual, or authorized agent of RA], hereby certify that:

The site for which this application for payment is submitted is the site for which the No Further Remediation Letter was issued;

All the costs included in this application were incurred at the site and for the regulated substance(s) or pesticide(s) for which the No Further Remediation Letter was issued;

The costs incurred are remediation costs as defined in the Act and rules adopted thereunder;

The costs submitted were paid by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_["me" if RA is certifying or name of RA if authorized agent is certifying] and are accurate to the best of my knowledge and belief;

None of the costs were incurred before approval of the site by DCEO as eligible for the Brownfields Site Restoration Program; and

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_["I" if RA is certifying or name of RA if authorized agent is certifying] did not cause or contribute in any material respect to the release or substantial threat of a release of regulated substance(s) or pesticide(s) for which the No Further Remediation Letter was issued.

6) The original signature of the RA or of the authorized agent acting on behalf of the RA.

c) The application for final review must be accompanied by the applicable fee for review as provided in Section 740.920 of this Subpart. Applications must be mailed or delivered to the address designated by the Agency on the forms. Requests that are hand-delivered must be delivered during the Agency's normal business hours.

d) The Agency's acceptance of a certification that the RA did not cause or contribute in any material respect to the release or substantial threat of a release for which the payment is requested shall not bind the Agency or the State and shall not be used as a defense with regard to any enforcement or cost recovery actions that may be initiated by the State or any other party.

(Source: Added at 28 Ill. Reg. 3870, effective February 17, 2003)