

ADMINISTRATIVE CODE

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY
PART 365 PROCEDURES FOR ISSUING LOANS FROM THE WATER POLLUTION
CONTROL LOAN PROGRAM
SECTION 365.340 PROJECT PRIORITY LIST

Section 365.340 Project Priority List

- a) The Agency shall not provide financial assistance from the State Water Revolving Fund under this Part to projects that are not on the Agency's Project Priority List.
- b) The Agency shall develop a Project Priority List for each fiscal year beginning on July 1. Only loan applicants who have submitted a Funding Nomination Form will be placed on the Project Priority List. Loan applicants who have received project planning approval pursuant to Sections 365.320 and 365.330 before March 31 of the previous fiscal year will be scored, ranked and placed on the project priority list according to Section 365.345. Loan applicants who have not received project planning approval before March 31 of the previous fiscal year will be placed at the bottom of the Project Priority List in alphabetical order.
- c) The Agency shall publish the Project Priority List in the Intended Use Plan.
- d) Intended Funding List
 - 1) The Agency shall identify the Intended Funding List in the Intended Use Plan. The Intended Funding List is comprised of the highest ranking projects on the Project Priority List that have been scored and ranked pursuant to subsection (b) and are scheduled to initiate construction prior to March 31 of the current fiscal year. The total costs of all projects on the intended funding list shall not exceed the total amount of funds available.
 - 2) Projects on the Intended Funding List are afforded priority of resources, including, but not limited to, preference in securing a loan as soon as the necessary programmatic and financial steps are completed.
 - 3) Projects on the Intended Funding List are not guaranteed funding or additional subsidization.

- 4) Projects not on the Intended Funding List may receive funding in advance of those projects identified in the Intended Funding List according to the process set forth in subsection (e).
- e) Bypass Process and Surplus Funding
- 1) From January 1 through June 30 of each year, a project on the Intended Funding List may be bypassed, releasing any reserved funds when the loan applicant has not:
 - A) submitted a loan application as required by Section 365.350(a);
 - B) obtained all necessary construction permits; and
 - C) established a bid opening date prior to March 31 of the current fiscal year.
 - 2) A project on the Intended Funding List may be bypassed at anytime, releasing any reserved funds, when the loan applicant notifies the Agency in writing that it does not intend to pursue funding during the current fiscal year.
 - 3) When a project is bypassed, the Agency will make the bypassed funds available for projects on the Project Priority List in the order in which the requirements of Section 365.410 are satisfied by the loan applicant.
- f) Surplus funding. When the total costs of projects on the Intended Funding List is less than the total amount of funds available, the Agency may make surplus funds available for projects on the Project Priority List by issuing a Letter of Commitment pursuant to Section 365.355.

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