**Section 740.505 Reviews of Plans and Reports**

a) *All reviews* carried out under this Part *shall be carried out by the Agency or a RELPE*, *both under the direction of a* *Licensed Professional Engineer.* (Section 58.7(d) of the Act)

b) *Plans, reports and* related *activities which the Agency or a RELPE may review include,* but are not limited to:

1) *Site Investigation Reports and related activities;*

2) *Remediation Objectives Reports;*

3) *Remedial Action Plans and related activities; and*

4) *Remedial Action Completion Reports and related activities.* (Section 58.7(d)(2) of the Act)

c) *Only the Agency shall have the authority to approve, disapprove, or approve with conditions a plan or report as a result of the review process, including those plans or reports reviewed by a RELPE.* (Section 58.7(d)(3) of the Act)

d) Except as provided in subsection (d)(5) below and Section 740.705(c) of this Part, the Agency shall have 60 days from the receipt of any plan or report to conduct a review and make a final determination to approve or disapprove the plan or report, or approve the plan or report with conditions. All reviews shall be based on the standards set forth in this Subpart E.

1) The Agency's record of the date of receipt of a plan or report shall be deemed conclusive unless a contrary date is proven by a dated, signed receipt from the Agency or certified or registered mail.

2) Submittal of an amended plan or report restarts the time for review.

3) The RA may waive the time line for review upon a request from the Agency or at the RA's discretion.

4) The Agency shall not be required to review any plan or report submitted out of the sequence for plans and reports set forth in this Part.

5) If any plans or reports are submitted concurrently, the Agency's timeline for review shall increase to a total of 90 days for all plans or reports so submitted.

e) Upon completion of the review, the Agency shall notify the RA in writing of its final determination on the plan or report. The Agency's notification shall be made in accordance with Section 740.215(b) of this Part. If the Agency disapproves a plan or report or approves a plan or report with conditions, the written notification shall contain the following information, as applicable:

1) An explanation of the specific type of information or documentation, if any, that the Agency deems the RA did not provide;

2) A listing of the Sections of Title XVII of the Act or this Part that may be violated if the plan or report is approved as submitted;

3) A statement of the specific reasons why Title XVII of the Act or this Part may be violated if the plan or report is approved as submitted;

4) A statement of the reasons for conditions if conditions are required.

f) The Agency may, to the extent consistent with review deadlines, provide the RA with a reasonable opportunity to correct deficiencies prior to sending a disapproval. However, the correction of such deficiencies by the submittal of additional information may, in the sole discretion of the Agency, restart the time for review.

g) If the RA has entered into a contract with a RELPE under Subpart B of this Part, the Agency shall assign plans and reports submitted by the RA to the RELPE for initial review.

1) The RELPE's review shall be conducted in accordance with this Subpart E.

2) Upon completion of the review, the RELPE shall recommend to the Agency approval or disapproval of the plan or report or approval of the plan or report with conditions.

3) Unless otherwise approved by the Agency in writing, the RELPE shall have 30 days to complete the review of a plan or report and forward the recommendation to the Agency. If any plans or reports have been submitted concurrently to the Agency, the RELPE shall have a total of 45 days to complete the review of all plans or reports so submitted, unless otherwise approved by the Agency in writing.

4) The recommendation of the RELPE shall be in writing, shall include reasons supporting the RELPE's recommendation, and shall be accompanied by all documents submitted by the RA and any other information relied upon by the RELPE in reaching a decision.

h) *If the Agency disapproves or approves with conditions a plan or report or fails to issue a final* determination *within the* applicable review *period and the RA has not agreed to a waiver of the deadline, the RA may, within 35 days* after receipt of the final determination or expiration of the deadline, *file an appeal* with *the Board. Appeals to the Board shall be in the manner provided for the review of permit decisions in Section 40 of the Act.* (Section 58.7(d)(5) of the Act)

(Source: Amended at 22 Ill. Reg. 19580, effective October 26, 1998)