

Comments of the Illinois Chapter of the AIPG:

1) *There are many locations where the Agency has said that "information shall be submitted on forms prescribed and provided by the Agency and, if specified by the Agency by written notice, in an electronic format".*

If the Agency's intent is to have all portions of documents (i.e., 45-Day Reports) to be potentially sent electronically, this may be a problem when it involves drawings. Many drawings are too large to be sent electronically. A suggestion would be to add "if possible" at the end of each of the said sentences.

2) *Section 732.202 Early Action, g): it says that "For the purposes of reimbursement, the activities set forth in subsection (f) of this Section..... The owner or operator shall notify the Agency in writing within 45 days of initial notification to IEMA of a release of such circumstances.*

There should be a provision in the rules, which automatically allows for a maximum extension time for these efforts to be eligible for reimbursement. It could be stated that "Upon written request by the owner / operator or their representative, an automatic extension will be granted for 90 (or 120) days beyond the allowed 45 days for early action activities to be completed and their associated cost to be eligible for reimbursement."

3) *Section 732.307 Site Evaluation, g) Investigation of Migration Pathways, 5) states "Unless the Agency's review reveals objective evidence to the contrary, the Licensed Professional Engineer.....".*

Need to add or Licensed Professional Geologist.

4) *Section 732.310 Indicator Contaminants h), states two reasons why MTBE shall not be included.*

Would like to add, "3) For sites who have completed the Site Classification Completion Report and a Corrective Action Plan has been approved by the Agency". 4) If existing approved plans and/or reports must be changed to incorporate the indicator contaminant, MTBE, then full reimbursement for all additional cost required to incorporate the change will be allowed. The same provision would apply to plans or reports that have been substantially completed and that either, a) have not yet been submitted to IEPA for review, or b) that have been submitted to IEPA but not yet approved.

5) *Section 732.12 Classification by Exposure Pathway Exclusion, i) "Within 30 days after the completion of a site evaluation..... The report shall be submitted on forms..... The certification of a Licensed Professional Engineer..... For any site classified as High Priority..... certification of a Licensed Professional Engineer.....".*

Need to add or Licensed Professional Geologist in both places.

6) *Section 732.409 Groundwater Monitoring and CACRs, a2) “The High Priority corrective action completion report shall include,.....relied upon by the Licensed Professional Engineer.....”. b) “The applicable report shall be submitted..... from a Licensed Professional Engineer.....”.*

Need to add or Licensed Professional Geologist in both places.

7) *Section 732.505 Standards for Review of Plans and Reports, b) “If the Licensed Professional Engineer certifies that there is..... other confined spaces, the Licensed Professional Engineer.....”.*

Need to add or Licensed Professional Geologist in both places.

8) *Section 732.312 (d) Classification by Exposure Pathway Exclusion*  
*Delete reference to the LPG Act as there is no reference to the Professional Engineer's Act, indicating that the reference is unnecessary and may suggest the LPG Act is restrictive in regards to this subsection.*