

1512.0800 INELIGIBLE COSTS.

All costs associated with actions that do not minimize, eliminate, or clean up an incident are ineligible costs. Ineligible costs include, but are not limited to, costs related to the repair, replacement, or upgrading of agricultural chemical facility structures or equipment, cost of agricultural chemical product replacement, loss of income, attorney's fees, permanent relocation of residents, decreased property values, reimbursement for the eligible person's own time spent in planning and administering a corrective action design, costs for third party review of proposed investigative and corrective action or work plans, aesthetic improvements, or any work, except for emergency corrective actions, not in compliance with safety codes including, but not limited to, United States Occupational Safety and Health Administration requirements, well codes, fire codes, and costs for providing alternative sources of drinking water.

Corrective action costs covered or payable under an insurance or other contract are ineligible costs. Corrective action costs covered or payable under an insurance or other contract are ineligible costs because they are not considered to be costs incurred by the eligible person. Costs incurred in response to requests or orders issued to a responsible person under authorities contained in Minnesota Statutes, chapter 115B, or federal CERCLA are ineligible costs.

Statutory Authority: *MS s 18E.05*

History: *15 SR 1876*

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