

7044.0750 FUNDING PRIORITY OF CLASSES.

ERLA funds shall be allocated to classes in the following order:

A. All sites classified as part 7044.0450, subpart 1, item A (Class A) receive first priority over all other classes for agency action. The agency shall also allocate ERLA funds to be held in reserve during the next year to fund emergencies that may be declared during the year. The amount of the contingency fund must be estimated based on the funds expended on declared emergencies in previous years. If the contingency fund is depleted before the end of the year, funds allocated for Class C or D projects that are not yet committed are available for response actions that must be taken in connection with a declared emergency.

B. After all Class A sites have ERLA funds allocated and a Class A contingency fund has been established, all sites classified as part 7044.0450, subpart 1, item B (Class B) receive next priority for ERLA funding. ERLA funds may not be spent for the purpose of operation or maintenance of a community water supply system with the exception of start-up operational and maintenance expenditures deemed necessary by the agency during the first year the system is in operation.

C. After all Class A sites have ERLA funds allocated and a Class A contingency fund has been established, and all Class B sites have ERLA funds allocated, the agency shall allocate ERLA funds to part 7044.0450, subpart 1, item C (Class C) and to part 7044.0450, subpart 1, item D (Class D) sites.

D. The commissioner may reallocate excess ERLA funds from one class to another if the funding priorities in this part and part 7044.0850 are complied with, and the commissioner determines that a site on the permanent list of priorities is ready for the agency to proceed with a response action prior to the next update.

E. Class A contingency funds may not be transferred to another class.

Statutory Authority: *MS s 14.06; 115B.17*

History: *9 SR 58; L 1987 c 186 s 15; 17 SR 2328*

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