

7077.0710 ELIGIBILITY.

Subpart 1. **Eligibility to participate.** Only municipalities, as defined under part 7077.0105, subpart 24, are eligible to participate in the individual sewage treatment systems grants program.

Subp. 2. **Eligibility of individual sewage treatment systems.**

A. For an individual sewage treatment system to be eligible to be included in a municipality's grant application it must meet the following conditions:

- (1) be a failed system;
- (2) have been constructed before January 1, 1977;
- (3) not be serving a seasonal residence;
- (4) not have been constructed with state or federal water pollution control funds; and
- (5) be located within the project planning area.

B. For an individual sewage treatment system to be eligible to receive grant funds it must meet the following conditions:

- (1) replace or correct a system that meets the requirements of part 7077.0710, subpart 2A, identified on a municipality's grant application;
- (2) meet the requirements under Minnesota Statutes, section 116.18, subdivision 3c, paragraph (b);
- (3) have a capacity to treat no more than 5,000 gallons of wastewater per day; and
- (4) meet the applicable design, location, installation and use standards and criteria established under chapter 7080.

Subp. 3. **Eligibility of funded areas.** Individual sewage treatment systems located in geographic areas that were included in planning areas of projects previously funded with state or federal water pollution control funds are not eligible for funding under this program.

Subp. 4. **Eligibility of alternative planning area.** The commissioner shall evaluate any written municipal proposal for a project planning area that is less than the municipality's entire geographic jurisdiction. The commissioner's evaluation of the proposal shall be based on housing density, water quality impact, and public health impact. Separate structures with wastewater flows that are not part of a contiguous area shall not be approved as or part of a planning area.

Subp. 5. **Eligibility to submit a request to be placed on the funding list.** The commissioner shall only accept requests to place projects on the funding list under part 7077.0713 from municipalities that:

- A. have authorization from their governing bodies to assume the responsibility for the proposed grant projects and the associated official documents; and
- B. have planning areas that have been approved by the commissioner.

Subp. 6. **Eligibility to submit grant application.** The authority shall accept grant applications only from municipalities that have:

- A. successfully submitted requests to be placed on the funding list;
- B. been classified as fundable on the on-site funding list; and
- C. received written notification from the commissioner to submit applications.

Statutory Authority: *MS s 116.07; 116.18; 116.182*

History: *13 SR 1822; 15 SR 288; 16 SR 1800; 17 SR 3097*

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