

7152.0500 MAXIMUM HOURLY RATES.

A. After the applicant accepts a consultant's or contractor's written proposal for services at the response-action site, hourly rate charges for subsequent services performed at the site by that consultant or contractor that exceed the hourly rates listed in the written proposal for services at the response-action site are prima facie unreasonable.

B. Notwithstanding item A, hourly rate charges that exceed by a maximum of five percent per year the hourly rates listed in the written proposal for services at the response-action site are not prima facie unreasonable when at least one year has passed since the applicant approved the proposal in writing.

C. Notwithstanding items A and B, hourly rate charges for consultant services in excess of the following are prima facie unreasonable:

- (1) senior-level professional at \$173 per hour;
- (2) midlevel professional at \$128 per hour;
- (3) entry-level professional at \$94 per hour;
- (4) field technician at \$87 per hour;
- (5) draftsperson at \$74 per hour; and
- (6) word processor at \$53 per hour.

D. An hourly rate for consultant services is prima facie unreasonable when the rate for the consultant services is higher than the level of consultant services required to perform the task.

Statutory Authority: *MS s 14.389; 115B.50; L 2016 c 123 s 5*

History: *42 SR 1444*

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