

7190.1190 ELIGIBLE LOSSES RELATED TO REPLACEMENT OR DECONTAMINATION OF PRIMARY SOURCE OF DRINKING WATER.

Subpart 1. **Limitation.** Property damage losses related to the replacement or decontamination of the primary source of drinking water are limited to the costs of replacement or decontamination of the system that:

- A. services the individual claimant's property only; or
- B. extends distribution of an existing municipal water supply to the property.

The cost of construction of a system that provides for the expansion of the community water system or that provides benefits to the community in general is not eligible.

Subp. 2. **Operational as of date of discovery.** Except as provided in subpart 3, to be eligible for replacement or decontamination expenses, the primary source of drinking water for a claimant's property as described in subpart 1 must be operational and in use by the property owner on the date of discovery of contamination.

Subp. 3. **Private wells under construction.** A private drinking water well located on property that qualifies as the claimant's principal residence under part 7190.1110 is eligible for replacement or decontamination expenses that exceed the anticipated contract costs for construction of the well if at the time of discovery of contamination:

- A. the well is under construction on the property; or
- B. a binding contract for construction of the well has been entered into.

Statutory Authority: *MS s 115B.34*

History: *16 SR 2162*

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