

9210.0160 REVIEW AND EVALUATION OF FINAL GRANT APPLICATIONS.

Subpart 1. **Determination of eligibility and completeness.** Upon receipt of a final grant application, the commissioner shall confirm the eligibility of the applicant and the eligibility of the project, and shall determine the eligibility of the costs identified in the final grant application and the completeness of the final grant application.

Subp. 2. **Notice of determination of eligibility and completeness.** After receiving the final grant application, the commissioner shall notify the applicant of the commissioner's determinations of eligibility and completeness. If the commissioner determines that the applicant or the project is ineligible, the commissioner shall reject the final grant application, return it to the applicant, and notify the applicant of the reasons for the rejection. If the commissioner determines that any project costs are ineligible or that the final grant application is incomplete, the commissioner shall notify the applicant of the ineligible costs or shall identify the portions of the final grant application that are incomplete. The applicant has 30 days after receiving the notice to correct any inadequacies identified by the commissioner. If the inadequacies are corrected and the corrected application is received by the commissioner within the time allowed, the final grant application will be further considered.

Subp. 3. [Repealed, 15 SR 839]

Subp. 4. **Evaluation of final grant applications.** If the commissioner determines that the final grant application is eligible and complete, the commissioner shall evaluate the final grant application to determine whether the final grant application demonstrates:

- A. that the project is conceptually and technically feasible;
- B. that affected political subdivisions are committed to implementing the project, providing necessary local financing, and accepting and exercising the governmental powers necessary for project implementation and operation;
- C. that operating revenues from the project, considering the availability and security of sources of solid waste and of markets for recovered resources together with any proposed federal, state, or local financial assistance, will be sufficient to pay all costs over the projected life of the project;
- D. that the applicant has evaluated the feasible and prudent alternatives to disposal and has compared and evaluated the costs of the alternatives, including capital and operating costs, the effects of the alternatives on the cost to generators, and the effects of the alternatives on the solid waste management and recycling industry within the project's service area;
- E. that for projects serving eligible jurisdictions in only a single county, cooperation with jurisdictions in other counties to develop the project is not needed or not feasible; and

F. that the project is not financially prudent without agency assistance, because of the applicant's financial capacity and the problems inherent in the waste management situation in the area, particularly transportation distances and limited waste supply and markets for resources recovered.

Subp. 5. **Award of grants.** If the commissioner determines that the final grant application satisfies the requirements of subpart 4, the commissioner shall determine the amount of the grant award and the applicant shall be notified. If the director determines that the final grant application fails to satisfy the requirements of subpart 4, the commissioner shall reject the final grant application and shall return the final grant application to the applicant, together with a statement of the reasons for the determination. An applicant that does not receive a grant award may resubmit a preliminary grant application upon future notice by the commissioner under part 9210.0120, subpart 5.

Subp. 6. **Consultation with other agencies.** During the evaluation of the final grant application, the commissioner shall consider any recommendations provided by the State Planning Agency and the appropriate regional development commission or the Metropolitan Council.

Statutory Authority: *MS s 115A.06; 115A.49 to 115A.54*

History: *11 SR 432; 12 SR 847; 15 SR 839; L 2005 1Sp1 art 2 s 161*

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