

**9210.0200 ENVIRONMENTAL TESTING GRANTS.**

Subpart 1. **Eligible applicants.** Eligible applicants are limited to those eligible under Minnesota Statutes, section 115A.50.

Subp. 2. **Eligible projects.** Eligible projects are limited to those eligible for funding under Minnesota Statutes, section 115A.54.

Subp. 3. **Eligible costs.** Eligible costs under this part are limited to the costs of tests necessary to determine the appropriate pollution control equipment for the project or the environmental effects of the use of any product or material produced by the project. The cost of routine environmental monitoring is not eligible for funding under this part.

Subp. 4. **Information on grant application.** Applications for environmental testing grants shall include the following information as required in the application forms supplied by the agency:

- A. the name of each applicant making the grant application;
- B. the name of each political subdivision affected by the project;
- C. the name, qualifications, and address of the project manager;
- D. the name, qualifications, and address of the facility operator;
- E. the total costs of testing eligible for funding under this part as documented by a proposal from a testing laboratory to perform the testing setting out the costs of the testing that will be performed;
- F. the amount of grant funding requested;
- G. the type of waste processing facility for which the application is being submitted, and the type of testing that is needed for the facility; and
- H. a work plan including a detailed description of the type of testing that will be performed, who will be performing the testing, and a time schedule for the testing. Applicants must contact the Pollution Control Agency before developing a work plan to receive assistance in determining the tests that are needed.

Subp. 5. **Review and approval of applications.** The commissioner shall review each application for funding under this part for eligibility and completeness. When the commissioner has determined that the applicant is eligible and that the application is complete, the commissioner shall forward the application to other appropriate regulatory agencies for review.

Subp. 6. **Agency determination.** The agency shall evaluate the application to determine if the proposed testing is necessary to determine the appropriate pollution control equipment for the project or the environmental effects of the use of any product or material produced by the project. In making this determination, the agency shall consider

the comments of other regulatory agencies that have reviewed the application. If the agency determines that the proposed testing is necessary, the agency shall determine the amount to be awarded and authorize the commissioner to enter into an agreement with the applicant governing disbursement of funds.

Subp. 7. **Funding level.** The agency shall fund 100 percent of the cost of testing under this part. The maximum grant award per project shall be limited to \$200,000. Grants shall not be awarded to cover any cost associated with tasks performed before the grant award or after the expiration of the grant agreement.

Subp. 8. **Grant agreement.** The grant agreement shall incorporate by reference the final grant application submitted to the agency under this part; provide that any cost overruns incurred by the testing program shall be the sole responsibility of the recipient; provide that the agency will not accept amendments requesting that additional funds be awarded to the recipient unless the agency determines that additional testing is necessary; and require that the recipient make the information developed as a result of the testing available to the state and other persons who request the information.

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

**History:** *12 SR 847; L 1999 c 73 s 5; L 2005 1Sp1 art 2 s 161*

**Published Electronically:** *October 10, 2013*