

1 Waste Management Board

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3 Adopted Rules Governing the Solid Waste Processing Facilities

4 Demonstration Program

5

6 Rules as Adopted

7 9200.8100 DEFINITIONS.

8 Subpart 1. to 7. [Unchanged.]

9 Subp. 8. [See repealer.]

10 Subp. 9. Institutional arrangements. "Institutional
11 arrangements" means methods of financing, marketing,
12 procurement, methods of securing the waste supply, or joint
13 efforts by more than one local government unit.

14 Subp. 10. to 24. [Unchanged.]

15 9200.8600 GRANT AND LOAN APPLICATION PROCEDURES.

16 Subpart 1. [See repealer.]

17 Subp. 1a. Applications. An application may be submitted
18 to the board when the applicant has met the information and
19 documentation requirements in parts 9200.8400 and 9200.8500. The
20 applicant is encouraged to contact the chairperson and request a
21 preapplication review of the proposed project.

22 Subp. 2. [See repealer.]

23 Subp. 2a. Review schedule. When the chairperson or
24 designee receives an application, he or she shall initially
25 review the application. The board shall evaluate and select
26 projects and award grants and loans.

27 Subp. 3. [See repealer.]

28 9200.8700 INITIAL REVIEW.

29 Subpart 1. Applications reviewed. The chairperson or a
30 designee shall review all applications received.

31 Subp. 2. Eligibility and completeness review. Upon
32 receipt of an application, the chairperson or a designee shall
33 determine the eligibility of the applicant, the eligibility of
34 the costs specified in the application, the eligibility of the
35 project specified in the application, and the completeness of

1 the application.

2 Subp. 3. Notice of determination. Within 14 days after
3 receiving the application, the chairperson shall notify each
4 applicant of the chairperson's determinations. If the
5 chairperson determines that the applicant or the project is not
6 eligible, the application shall not be further considered and
7 the applicant shall be notified of the determination. If the
8 chairperson determines that any of the costs or any part of the
9 project is not eligible or that the application is otherwise not
10 complete, the chairperson shall return the application together
11 with a statement of the reasons for rejecting the application.
12 The applicant shall have 14 days after receipt of the rejection
13 of the application to correct any inadequacies identified in the
14 application. If the inadequacies are corrected within the time
15 allowed, the application will be further considered.

16 Subp. 4. and 5. [Unchanged.]

17 Subp. 6. Determination of sufficient documentation. If
18 the chairperson determines that the documentation in the
19 application is adequate, the application shall be considered
20 final and the applicant shall be so notified. The application
21 shall then be referred to the board to be evaluated as provided
22 in part 9200.8800. If the chairperson determines that the
23 documentation in the application is inadequate, the chairperson
24 shall return the application together with a statement of the
25 reasons for rejecting the application. The applicant shall have
26 14 days after receipt of the rejection of the application to
27 correct the inadequacies in the documentation.

28 If the inadequacies in the documentation are corrected
29 within the time allowed, the application shall be considered
30 final and the applicant shall be so notified. The application
31 shall then be referred to the board to be evaluated as provided
32 in part 9200.8800.

33 9200.8800 EVALUATION OF PROJECTS.

34 Subpart 1. Process of evaluation. Upon completion of the
35 chairperson's initial review of the application as set out in
36 part 9200.8700, the board shall evaluate projects based on the

1 factors set out in this part.

2 Subp. 2. General factors. In evaluating all six types of
3 projects the board shall, to the extent the factor is relevant
4 to the project, consider:

5 A. to D. [Unchanged.]

6 Subp. 3. to 8. [Unchanged.]

7 Subp. 9. Legislative priorities. The board shall give
8 priority to projects where:

9 A. the natural geologic and soil conditions are
10 unsuitable for land disposal of solid waste;

11 B. the capacity of existing solid waste disposal
12 facilities is less than five years; or

13 C. for a project outside of the metropolitan area,
14 the project serves more than one local government unit.

15 9200.9000 AWARD OF GRANTS AND LOANS.

16 Subpart 1. General procedure. The board shall award a
17 loan, or a grant and loan if the board determines a grant should
18 be awarded under subpart 2, to the projects which in the board's
19 judgment best meet the factors identified in part 9200.8800.

20 Subp. 2. Factors in awarding grants. In making its
21 determination on whether to award grants, the board shall
22 consider whether the project involves a significant risk to the
23 local unit of government; whether the local unit of government
24 has made a substantial commitment of its own funds to the
25 project; and, in view of the applicant's financial capacity,
26 whether a grant would affect the decision or ability to
27 undertake the project.

28 Subp. 3. Amount of awards. The board shall determine the
29 amount of the loans and grants it awards based on a review of
30 the factors set out in part 9200.8800 and the degree to which
31 the project serves to demonstrate the uses of technology
32 involved in Minnesota.

33 Subp. 4. and 5. [Unchanged.]

34 9200.9100 GRANT AND LOAN AGREEMENT.

35 Subpart 1. [Unchanged.]

1 Subp. 2. Rescission of grants and loans. If projects are
2 not completed in accordance with the terms and conditions of the
3 respective agreements, including time schedules, the grants and
4 loans for those projects shall be rescinded, and the entire
5 amount of grants and loans shall be repaid unless the board
6 determines that variances from the respective agreements are
7 justified and that the original objectives of the project will
8 be accomplished.

9 Subp. 3. to 6. [Unchanged.]

10 9200.9200 APPORTIONMENT.

11 Subpart 1. In general. For grants and loans to be awarded
12 over the life of this program, the board shall apportion funds
13 allocated to it by the legislature for this program as set out
14 in Article VI of the Waste Management Act, Minnesota Statutes,
15 sections 115A.49 to 115A.54, as follows in subparts 2 and 3.

16 Subp. 2. [Unchanged.]

17 Subp. 3. Applications accepted. The board shall accept
18 applications for assistance under the demonstration program
19 while funds remain available or until the program is terminated.

20 Subp. 4. and 5. [See repealer.]

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22 REPEALER. Minnesota Rules, parts 9200.8100, subpart 8;
23 9200.8600, subparts 1, 2, and 3; 9200.8900; and 9200.9200,
24 subparts 4 and 5 are repealed.