

1 Waste Management Board

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3 Adopted Permanent Rules Relating to Hazardous and Industrial

4 Waste Reduction Grants

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6 Rules as Adopted

7 9200.9501 DEFINITIONS.

8 Subpart 1. to 2. [Unchanged.]

9 Subp. 3. Chair. "Chair" means the chair of the board.

10 Subp. 5. Generator. "Generator" means a person or a local  
11 government unit who produces a hazardous or industrial waste in  
12 Minnesota.

13 Subp. 6. [Unchanged.]

14 Subp. 6a. Industrial waste. "Industrial waste" has the  
15 meaning given in Minnesota Statutes, section 115A.03,  
16 subdivision 13a.

17 Subp. 7. to 9. [Unchanged.]

18 Subp. 10. Recipient. "Recipient" means an applicant who  
19 has received a grant under the hazardous and industrial waste  
20 reduction grants program.

21 Subp. 10a. Recycling. "Recycling" has the meaning given  
22 in Minnesota Statutes, section 115A.03, subdivision 25b.

23 Subp. 11. Reduction. "Reduction" means action by a  
24 generator that:

25 A. decreases the total quantity of hazardous or  
26 industrial waste generated by the generator through abatement,  
27 minimization, reuse, or recycling; or

28 B. decreases the quantity of one or more types of  
29 hazardous or industrial waste that results in a decrease in risk  
30 to the public health and safety and the environment, but does  
31 not decrease the total quantity of hazardous or industrial  
32 wastes generated by the generator.

33 Subp. 12. [Unchanged.]

34 9200.9502 ELIGIBILITY CRITERIA.

35 Subpart 1. Eligible applicants. The following are

1 eligible to apply for a hazardous or industrial waste reduction  
2 grant:

3           A. a generator; or

4           B. an association that consists of or represents two  
5 or more generators generating similar hazardous or industrial  
6 wastes in Minnesota.

7           Subp. 2. **Eligible projects.** Projects designed to  
8 determine the feasibility of applying specific methods and  
9 technologies to reduce the generation of hazardous or industrial  
10 waste are eligible to receive a hazardous or industrial waste  
11 reduction grant. Eligible projects include projects to study  
12 the specific application of a method or technology already  
13 developed and projects to analyze a method or technology for  
14 which additional research is necessary to establish the  
15 feasibility of the method or technology.

16           Application or research projects currently under  
17 development by the applicant and new projects are eligible.

18           Subp. 3. and 4. [Unchanged.]

19 9200.9503 GRANT APPLICATION.

20           An applicant shall submit an application in the form  
21 specified by the chair. An application must include the  
22 following information:

23           A. A description of the applicant's managerial and  
24 technical ability to undertake a hazardous or industrial waste  
25 reduction feasibility study, including any consultant help that  
26 may be anticipated.

27           B. A statement outlining the method or technology  
28 that will be studied by the applicant and the waste reduction  
29 that may result from application of the method or technology.  
30 This statement must include a discussion of the following items:

31                   (1) a description of the method or technology to  
32 be studied;

33                   (2) whether the study involves the application of  
34 an existing method or technology, or original or continuing  
35 research on a method or technology for which additional research

1 is necessary to determine the feasibility of the method or  
2 technology;

3 (3) a description of the hazardous or industrial  
4 waste affected by the proposed project that is generated by the  
5 applicant, including the quantity generated in the previous  
6 calendar year;

7 (4) an estimate of the decrease in the quantity  
8 of hazardous or industrial waste generated; and

9 (5) the current method used to manage the  
10 hazardous or industrial waste generated by the applicant, and  
11 any anticipated change in management occurring after the  
12 reduction.

13 C. [Unchanged.]

14 9200.9506 EVALUATION OF PROPOSALS.

15 Subpart 1. Evaluation schedule. Within 45 days of the  
16 completion of the eligibility and documentation review, the  
17 board shall evaluate eligible proposals and set a deadline for  
18 action.

19 Subp. 2. Evaluation factors. In evaluating each proposal  
20 the board shall consider the following factors:

21 A. The relationship of the proposed hazardous or  
22 industrial waste reduction to the goals and policies of the  
23 Waste Management Board.

24 B. The significance of the proposed waste reduction  
25 measured by:

26 (1) the decrease in total hazardous or industrial  
27 waste generated in Minnesota as a result of the waste reduction  
28 and the potential future decrease as a result of application of  
29 the waste reduction method by other generators; and

30 (2) the decrease in risk to the public health and  
31 safety and the environment resulting from the waste reduction  
32 including:

33 (a) the decrease in the quantity of waste  
34 with a high degree of intrinsic hazard;

35 (b) the decrease in the quantity of

1 untreatable waste requiring land disposal; or

2 (c) the effect of waste reduction on the  
3 subsequent management of any remaining waste, including the need  
4 for further processing and disposal steps to properly manage the  
5 waste.

6 C. The merits of the specific method or technology  
7 proposed by the applicant which will be based on the following  
8 factors:

9 (1) the percentage decrease in the quantity of  
10 hazardous or industrial waste affected by the reduction;

11 (2) the percentage increase or decrease in the  
12 total quantity of hazardous or industrial wastes generated by  
13 the applicant;

14 (3) the general applicability of the hazardous or  
15 industrial waste reduction method or technology to other  
16 generators located in Minnesota; and

17 (4) the likelihood of the success of the specific  
18 method or technology to reduce hazardous or industrial wastes,  
19 the estimated reliability of the proposed method or technology,  
20 and capital, operating, and maintenance costs required to  
21 operate and maintain the proposed method or technology if it is  
22 implemented.

23 D. Other factors including:

24 (1) Whether an applicant is an association of two  
25 or more generators. In considering this factor, the board may  
26 give preference to an association of two or more generators if  
27 the board determines that the association significantly  
28 contributes to cooperation among generators in reducing  
29 hazardous or industrial waste generation.

30 (2) The recommendations of the board's hazardous  
31 waste management planning council.

32 (3) and (4) [Unchanged.]

33 9200.9508 GRANT AGREEMENT.

34 Subpart 1. Contents of agreement. The board and a grant  
35 recipient shall enter into a grant agreement. The grant

1 agreement must:

2           A. Establish the term of the grant. Unless otherwise  
3 determined by the board, all grants awarded under this part must  
4 have a maximum term of one year.

5           B. Provide that the recipient is authorized to enter  
6 into contracts to complete the work specified in the agreement.

7           C. Identify the product of the proposal and provide  
8 that the results of all studies or analyses performed under this  
9 agreement are made available to the board and to the general  
10 public. All information and techniques developed through a  
11 project assisted by a board grant will be made available to all  
12 hazardous and industrial waste generators in the state through  
13 the technical assistance program established by the board.

14           Subp. 2. to 4. [Unchanged.]

15           Subp. 5. Audit. Since this program involves the  
16 expenditure of public funds, the books, records, documents, and  
17 accounting procedures and practices of the recipient of grant  
18 funds that are only relevant to this program are subject to  
19 examination at any time by the chair of the board and other  
20 appropriate state officials. Any audit exceptions identified by  
21 the board must be reimbursed at the board's discretion.

22           Subp. 6. [Unchanged.]