

1 Waste-Management-Board Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Grants for Waste Tire
4 Collection Sites

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6 Rules as Adopted

7 9220.0900 SCOPE AND AUTHORITY.

8 Parts 9220.0900 to 9220.0935 govern the administration of
9 grants for establishing waste tire collection sites under
10 Minnesota Statutes, section 115A.913, subdivision 2.

11 9220.0905 DEFINITIONS.

12 Subpart 1. Scope. For the purposes of parts 9220.0900 to
13 9220.0935, the following terms have the meanings given them
14 unless the context requires otherwise.15 Subp. 2. Board Agency. "Board Agency" means the
16 Minnesota Waste-Management-Board Pollution Control Agency.17 Subp. 3. Chair Commissioner. "Chair Commissioner" means
18 the chair commissioner of the board agency, or staff designated
19 by the chair commissioner.20 Subp. 4. Collection site. "Collection site" means a
21 collection site as defined in Minnesota Statutes, section
22 115A.90, subdivision 3, from which waste tires will be
23 transported to a waste tire processing facility.24 Subp. 5. Waste tire processing facility. "Waste tire
25 processing facility" means an area where waste tires or
26 tire-derived products are processed. A waste tire processing
27 facility must meet the requirements of parts 9220.0200 to
28 ~~9220.0670~~ 9220.0680.

29 9220.0910 ELIGIBILITY CRITERIA.

30 Subpart 1. Eligible applicants. Eligible applicants are
31 cities, towns, and counties.32 Subp. 2. Eligible costs. Eligible costs are limited to
33 the capital costs to be incurred by the applicant for land,
34 structures, and equipment used for the collection site. Capital

1 costs include the following:

- 2 A. buildings;
- 3 B. fencing;
- 4 C. landscaping;
- 5 D. appropriate and necessary on-site utilities;
- 6 E. trailers;
- 7 F. on-site material handling equipment; and
- 8 G. equipment used to pre-process tires.

9 Subp. 3. Ineligible costs. Ineligible costs include the
10 cost of design and engineering/architectural plans; consulting
11 on the preparation of permit applications; and operation,
12 maintenance, and other administrative costs.

13 9220.0915 GRANT APPLICATION.

14 An applicant shall submit an application in the form
15 specified by the ~~chair~~ commissioner. An application must
16 include the following information:

- 17 A. the name of each applicant making the grant
18 application;
- 19 B. the name of the person or persons constructing or
20 procuring the facility and equipment;
- 21 C. the name, qualifications, and address of the
22 facility operator, if available;
- 23 D. the total cost that the applicant will incur in
24 the development of the collection site;
- 25 E. the total grant-eligible cost of the collection
26 site;
- 27 F. the total amount of grant funding requested; and
- 28 G. the amount and sources of all other funding
29 contributions, including the amount of funds to be contributed
30 by the applicant.

31 9220.0920 SUPPORTING DOCUMENTATION REQUIRED TO BE SUBMITTED WITH
32 GRANT APPLICATION.

33 Applications for waste tire collection site grants must
34 include the following supporting documentation:

- 35 A. a detailed description of the proposed collection

1 site, showing the location of the structures, buildings, and
2 equipment;

3 B. the specifications and design of equipment that
4 will be used at the collection site and for waste tire
5 collection;

6 C. a detailed description of the operation of the
7 collection site, including the methods of waste tire collection,
8 storage, and shipment to the processing facility;

9 D. the date the collection site will be operational;

10 E. the number of tires that will be handled by the
11 collection site annually, where those tires will be collected,
12 and where those tires will be brought for processing;

13 F. a description of the state and local permits
14 required for the construction and operation of the site, and an
15 estimate of the time when the applications for those permits
16 will be filed;

17 G. an explanation of how the operation, maintenance,
18 and administrative costs of the collection site will be paid;
19 and

20 H. what the cost to users of the collection site will
21 be in costs per ton, if applicable.

22 9220.0925 REVIEW AND EVALUATION OF APPLICATIONS.

23 Subpart 1. Determination of eligibility and completeness.

24 Upon receipt of an application, the ~~chair~~ commissioner shall
25 determine the eligibility of the applicant, the eligibility of
26 the costs identified in the application, and the completeness of
27 the application.

28 Subp. 2. Notice of determination of eligibility and
29 completeness. Within 14 days after receiving the application,
30 the ~~chair~~ commissioner shall notify the applicant of the ~~chair's~~
31 commissioner's determinations of eligibility and completeness.

32 If the ~~chair~~ commissioner determines that the applicant is
33 ineligible, the ~~chair~~ commissioner shall reject the application,
34 return it to the applicant, and notify the applicant of the
35 reasons for the rejection. If the ~~chair~~ commissioner determines

1 that any part of the costs for which funding is sought is
2 ineligible or that the application is incomplete, the
3 chair commissioner shall notify the applicant of the ineligible
4 portion of the costs or of the deficiency in the application.
5 The applicant has 14 days after receiving the notice to correct
6 any inadequacies identified by the chair commissioner. If the
7 inadequacies are corrected within the time allowed, the
8 application will be further considered.

9 Subp. 3. Board Agency approval. The board agency shall
10 approve applications and award grants for waste tire collection
11 sites. Applications will be considered by the board agency in
12 the order they come before the board agency for decision. In
13 the event that there is not sufficient money to fund fully all
14 approved applications, the board agency shall give priority to
15 applicants proposing collection sites that will best assist
16 the board agency in establishing a statewide waste tire
17 collection and transportation system.

18 9220.0930 GRANT LIMITATIONS.

19 Subpart 1. Maximum grant award. The maximum grant award
20 for a waste tire collection site under parts 9220.0900 to
21 9220.0935 is 50 percent of the eligible capital costs. The
22 maximum grant award must not exceed \$25,000.

23 Subp. 2. Limitations on disbursement of funds. No grant
24 funds shall be disbursed for any collection site until the board
25 agency has estimated the total capital costs of the site and
26 determined that financing of the costs is assured.

27 9220.0935 GRANT AGREEMENT.

28 Subpart 1. Requirements. Funds awarded by the board
29 agency must be disbursed in accordance with a written grant
30 agreement. A grant agreement must:

31 A. incorporate by reference the final grant
32 application submitted to the board agency in accordance with
33 part 9220.0920, and require the grantee to complete development
34 of the collection site in accordance with that application;

35 B. allow the grantee to enter into contracts to

1 complete the work specified in the agreement subject to any
2 board agency approval that may be required in the agreement;

3 C. provide that any cost overruns incurred in the
4 development of the proposed collection are the sole
5 responsibility of the grantee; and

6 D. provide that the board agency shall not agree to
7 any amendment increasing the amount of funds awarded to the
8 grantee.

9 Subp. 2. Rescission of grant. If the collection site is
10 not completed and operational in accordance with the terms and
11 conditions of the grant agreement, including the time schedules
12 provided in the agreement, the grant must be rescinded, and the
13 grantee shall repay the entire amount of the grant unless the
14 board agency determines that a variance from the agreement is
15 justified and that the original objectives of the grant will be
16 accomplished.

17 Subp. 3. Disbursement. The board agency shall disburse
18 grants in accordance with the payment schedule set out in the
19 grant agreement.