

1 Office of Waste Management

2

3 Adopted Permanent Rules Relating to Waste Education Grants

4

5 Rules as Adopted

6 WASTE EDUCATION GRANT PROGRAMS

7 9210.1000 SCOPE AND AUTHORITY.

8 Parts 9210.1010 to 9210.1060 implement the waste education
9 grant programs created and described in Minnesota Statutes,
10 section 115A.072, by establishing the substantive criteria and
11 procedural conditions under which the director may award grants
12 for waste education information projects and for waste education
13 facilities projects. Parts 9210.1020 to 9210.1040 establish
14 conditions applicable to all grants under parts 9210.1000 to
15 9210.1060. Part 9210.1050 establishes conditions specific to
16 waste education information projects. Part 9210.1060
17 establishes conditions specific to waste education facilities
18 grants.

19 9210.1010 DEFINITIONS.

20 Subpart 1. **Scope.** The terms defined in this part apply to
21 parts 9210.1000 to 9210.1060. For terms not defined in this
22 part, the definitions in Minnesota Statutes, section 115A.03,
23 apply, unless the context requires otherwise.

24 Subp. 2. **Director.** "Director" means the director of the
25 Office of Waste Management.

26 Subp. 3. **Formal or informal education facility.** "Formal
27 or informal education facility" means an establishment where, as
28 a fundamental objective of the persons in charge, recognized and
29 organized instruction takes place on a regular basis. Examples
30 of formal or informal education facilities are public and
31 nonpublic schools and secondary institutions, environmental
32 learning centers, youth organization facilities and camps, and
33 community centers.

34 Subp. 4. **In-kind contribution.** "In-kind contribution"
35 means a noncash donation of goods or services, such as personnel

1 time, materials or equipment, to which a cash value can be
2 reasonably assigned.

3 Subp. 5. **Person.** "Person" has the meaning given in
4 Minnesota Statutes, section 116.06, subdivision 8, but does not
5 include state agencies or the Metropolitan Council.

6 Subp. 6. **Problem materials.** "Problem materials" has the
7 meaning given in Minnesota Statutes, section 115A.03,
8 subdivision 24a.

9 Subp. 7. **Waste.** "Waste" means solid waste as defined in
10 Minnesota Statutes, section 116.06, subdivision 10, and
11 household hazardous waste as defined in Minnesota Statutes,
12 section 115A.96, subdivision 1, paragraph (b).

13 Subp. 8. **Waste abatement management practices.** "Waste
14 abatement management practices" means practical, sustained, and
15 technically feasible methods of reducing waste generation,
16 increasing recycling, or preventing litter.

17 9210.1020 APPLICATION PROCEDURES.

18 Subpart 1. **Notification by director.** To initiate the
19 process for awarding grants for waste education projects, the
20 director shall publish a notice in the State Register advising
21 eligible applicants of the availability of waste education
22 grants. The notice shall describe the procedure for awarding
23 grants and shall establish a deadline by which proposals must be
24 submitted. In the notice, the director may, consistent with
25 parts 9210.1050 and 9210.1060, limit the types of eligible waste
26 education projects for which a grant would be awarded in the
27 funding round initiated by the notice and may specify the
28 maximum amount of funding to be awarded to a project.

29 Subp. 2. **Proposals.** Following the publication of a notice
30 in the State Register, eligible applicants seeking grant
31 assistance shall submit proposals as described in item A or B to
32 the director. Proposals must be received by the director by the
33 deadline established in the notice or they will be rejected.

34 A. Proposals for education information projects must
35 contain the information in part 9210.1050, subpart 6.

1 B. Proposals for education facilities projects must
2 contain the information in part 9210.1060, subpart 6.

3 Subp. 3. **Determination of eligibility and completeness.**
4 For all proposals received by the director by the deadline
5 established in the notice, the director shall determine the
6 eligibility of the applicant and the proposed project; the costs
7 identified in the proposal; and the completeness of the proposal.

8 Subp. 4. **Notice of determination of eligibility and**
9 **completeness.** The director shall notify each applicant of the
10 director's determination of eligibility and completeness. If
11 the director determines that an applicant or project is
12 ineligible, the director shall reject the proposal and notify
13 the applicant. If the director determines that any of the
14 project costs are ineligible or that the proposal is incomplete,
15 the director shall notify the applicant of the ineligible
16 portion of the costs or of the deficiency. The applicant has 14
17 days after receiving the notice to correct the inadequacies
18 identified by the director; however, the director shall grant
19 reasonable and brief extensions if the applicant requests an
20 extension in writing within the 14 days and good cause exists
21 for the extension. If the inadequacies are not corrected within
22 the time allowed, the director shall reject the proposal.

23 Subp. 5. **Evaluation of proposal.** The director shall
24 evaluate each proposal that is determined to be eligible and
25 complete according to the applicable criteria in parts 9210.1000
26 to 9210.1060. Proposals for education information grants shall
27 be evaluated using the criteria in part 9210.1050, subpart 7.
28 Proposals for education facilities grants shall be evaluated
29 using the criteria in part 9210.1060, subpart 7.

30 Subp. 6. **Award of grants.** The director shall award grants
31 for those projects that the director determines best satisfy the
32 applicable criteria. The director shall notify all applicants
33 of the disposition of their applications.

34 Subp. 7. **No grant awards.** If the director determines that
35 no proposal will provide sufficient assistance to the state in
36 achieving its waste education goals, the director may decide not

1 to award any grants. The director may then reinstate the
2 process for awarding grants by publishing a notice under subpart
3 1.

4 Subp. 8. Consultation. The director shall consider the
5 advice of the waste education coalition in evaluating proposals.

6 9210.1030 LIMITATIONS.

7 Subpart 1. Reduced grant awards. The director shall ask
8 an applicant to document the impacts of reduced financial
9 assistance before awarding funds less than the eligible amount
10 requested by the applicant. Reduced funds shall be awarded
11 where the director determines that:

12 A. program resources are insufficient to provide full
13 assistance to all applicants to which the director intends to
14 award grants; or

15 B. the applicant could implement the project at a
16 reduced level and still achieve project objectives.

17 Subp. 2. Limitations on disbursement of funds. No grant
18 funds shall be disbursed until the grantee has executed a
19 written grant agreement with the director.

20 Subp. 3. Limitation on retroactive payments. No grant
21 funds shall be disbursed to repay costs incurred prior to the
22 award of the grant.

23 9210.1040 GRANT AGREEMENTS.

24 A grant agreement shall:

25 A. incorporate by reference the proposal submitted to
26 the director;

27 B. provide that any cost overruns incurred in the
28 development and implementation of the proposed project shall be
29 the sole responsibility of the grantee;

30 C. require that the grantee provide written reports
31 to the director on the implementation and results of the
32 project;

33 D. authorize the director to rescind the grant and
34 require the grantee to repay the grant in full if the director
35 determines that, due to the bad faith of the grantee, a project

1 has not been developed and implemented according to the terms
2 and conditions of the grant agreement;

3 E. authorize the director to cease making further
4 disbursements to the grantee and to recover the unspent funds if
5 the director determines that, for reasons other than bad faith,
6 a project has not been developed and implemented according to
7 the terms and conditions of the grant agreement and amendment of
8 the agreement is not justified;

9 F. require that the grantee perform and complete
10 project activities according to the terms and conditions of the
11 grant agreement;

12 G. require that the grantee maintain detailed records
13 of all expenditures related to the project;

14 H. require that the grantee deliver to the director
15 at least one camera-ready copy of any original waste education
16 information developed along with at least one copy of all waste
17 education information disseminated as part of the project.
18 Information developed using waste education grant funds may not
19 be copyrighted;

20 I. require that any written waste education
21 information developed as part of the project include a statement
22 acknowledging the office as a funding source;

23 J. establish that all original products resulting
24 from the proposal are part of the public domain and cannot be
25 sold for profit; and

26 K. establish other conditions or terms needed to
27 manage or implement the grant agreement.

28 9210.1050 WASTE EDUCATION INFORMATION GRANTS.

29 Subpart 1. **Scope.** This part establishes the conditions
30 under which the director shall award waste education information
31 grants.

32 Subp. 2. **Eligible applicants.** Eligible applicants are
33 persons who propose to disseminate or develop and disseminate
34 waste education information in Minnesota. Examples of eligible
35 applicants include political subdivisions (counties, cities, and

1 towns); schools, school districts, and higher education
2 institutions, including state colleges and universities; public
3 institutions; hospitals; public libraries; trade or industry
4 organizations; solid waste management districts; private
5 businesses; and nonprofit organizations.

6 Subp. 3. **Eligible projects.** Eligible projects are
7 projects to disseminate or to develop and disseminate waste
8 education information that will raise public awareness of waste
9 abatement management practices and will assist the state in
10 meeting the legislative goals established in Minnesota Statutes,
11 chapter 115A.

12 Subp. 4. **Ineligible projects.** The following are not
13 eligible to receive waste education information grants:

14 A. projects that receive at least 75 percent funding
15 from money distributed to counties by the director under
16 Minnesota Statutes, section 115A.557, or from money distributed
17 by the Metropolitan Council under its landfill abatement fund
18 grant and loan program;

19 B. projects that were eligible for, but did not apply
20 for, funding from money distributed to counties by the director
21 under Minnesota Statutes, section 115A.557, or from money
22 distributed by the Metropolitan Council under its landfill
23 abatement fund grant and loan program; and

24 C. curriculum development projects for kindergarten
25 through 12th grade.

26 Subp. 5. **Eligible costs.** Eligible costs are limited to 75
27 percent of the total cost of the project. The remaining 25
28 percent must be satisfied with cash or in-kind contributions.
29 Eligible costs include expenses necessary to undertake and
30 complete eligible projects, except that the following are not
31 eligible costs: capital costs, including the cost of purchasing
32 or renting real property, and the cost of operating or
33 maintaining equipment.

34 Subp. 6. **Proposal.** An eligible applicant shall submit a
35 proposal in the form specified by the director. The director
36 may request additional information from the applicant if it is

1 necessary to clarify the proposal. A proposal must include the
2 following information:

3 A. the names, qualifications, and addresses of the
4 applicant and other project participants;

5 B. a description of the proposed project, including:

6 (1) a statement of the specific waste abatement
7 issue or solution to be addressed by the project;

8 (2) a description of the target audience of the
9 project;

10 (3) an estimate of the total number of persons
11 expected to be reached by the project;

12 (4) a description of the benefits and other
13 impacts that are likely to result from the project;

14 (5) a work plan that includes a list of project
15 activities, an implementation schedule with specific time lines,
16 and a list of persons involved in completing each activity;

17 (6) a description of all waste education
18 information to be developed or disseminated as part of the
19 project, as well as a list of all research sources the applicant
20 plans to use in developing or disseminating waste education
21 information; and

22 (7) a description of the location of the project
23 and an evaluation of whether the project has a strong potential
24 for use and replication in other waste abatement programs or
25 projects in the state;

26 C. a description of how the project will complement
27 local waste education and solid waste management projects,
28 including projects to be conducted pursuant to the comprehensive
29 solid waste management plans of the counties in which the
30 project will be performed;

31 D. an evaluation of whether the project will
32 duplicate other efforts to disseminate or develop and
33 disseminate waste education information in the area to be served
34 by the project;

35 E. information demonstrating that the project will
36 comply and be consistent with applicable regulations;

1 F. an itemized description of the project costs,
2 including the total project cost, total grant eligible costs,
3 and the amount of grant funding requested;

4 G. an itemized description of project financing,
5 including the applicant contributions, other government or
6 private cash or in-kind contributions, and, if applicable, any
7 projected revenues from the project;

8 H. a demonstration of support from each county
9 participating in the project; and

10 I. a description of the current status of the project.

11 Subp. 7. Evaluation of proposals. The director shall
12 evaluate each proposal that is determined to be eligible and
13 complete, and shall award grants to those projects that the
14 director determines best satisfy the following criteria:

15 A. the project has a strong potential for use and
16 replication in other waste abatement programs or projects in the
17 state;

18 B. the project substantially furthers the waste
19 abatement goals established by Minnesota Statutes, chapter 115A;

20 C. the project has a strong potential to reach and
21 have a lasting impact on the waste management practices of a
22 large number of persons;

23 D. the project will not duplicate other efforts to
24 disseminate or develop and disseminate waste education
25 information in the area to be served by the project;

26 E. the project will complement local waste education
27 and solid waste management projects, including projects to be
28 conducted pursuant to the comprehensive solid waste management
29 plans of the counties in which the project which will be
30 performed;

31 F. the project has the support of all public and
32 private entities that are involved in the proposed project;

33 G. the project is conceptually and economically
34 feasible;

35 H. the persons identified in the application have the
36 experience and knowledge to implement the project and are

1 committed to implementing the project in a timely manner upon
2 receipt of a grant award;

3 I. the application includes comprehensive and
4 reasonable plans for dissemination of information to a target
5 audience;

6 J. the research sources to be used are reliable and
7 likely to generate accurate and complete information;

8 K. the proposed project has the necessary financial
9 commitment to cover all proposed project costs; and

10 L. the proposed project complies with federal, state,
11 and local regulations.

12 9210.1060 WASTE EDUCATION FACILITIES GRANTS.

13 Subpart 1. **Scope.** This part establishes the conditions
14 under which the director shall award waste education facilities
15 grants.

16 Subp. 2. **Eligible applicants.** Eligible applicants are
17 formal or informal education facilities.

18 Subp. 3. **Eligible projects.** The following are eligible
19 projects:

20 A. projects to develop model programs to incorporate
21 long-term waste abatement management practices, litter
22 prevention, and improved problem materials management practices
23 into the operation of formal or informal education facilities;
24 and

25 B. projects to incorporate long-term waste abatement
26 management practices, litter prevention, and improved problem
27 materials management practices into the operation of formal or
28 informal education facilities.

29 Subp. 4. **Ineligible projects.** The following are not
30 eligible to receive waste education facilities grants:

31 A. projects that receive at least 75 percent funding
32 from money distributed to counties by the director under
33 Minnesota Statutes, section 115A.557, or from money distributed
34 by the Metropolitan Council under its landfill abatement fund
35 grant and loan program; and

1 B. projects that were eligible for, but did not apply
2 for, funding from money distributed to counties by the director
3 under Minnesota Statutes, section 115A.557, or from money
4 distributed by the Metropolitan Council under its landfill
5 abatement fund grant and loan program.

6 Subp. 5. **Eligible costs.** Eligible costs are limited to 75
7 percent of the total cost of the project. The remaining 25
8 percent must be satisfied with cash or in-kind contributions.
9 Eligible costs include expenses necessary to undertake and
10 complete eligible projects, except that the following are not
11 eligible costs: the cost of purchasing, constructing, or
12 renting real property, and the cost of operating or maintaining
13 equipment. However, the cost of equipment or structures for
14 temporary storage of recyclables is eligible for waste education
15 facilities grant funds, except for equipment or structures
16 primarily needed for the collection or processing of waste.

17 Subp. 6. **Proposal.** An eligible applicant shall submit a
18 proposal in the form specified by the director. The director
19 may request additional information from the applicant if it is
20 necessary to clarify the proposal. A proposal must include the
21 following information:

22 A. the names, qualifications, and addresses of the
23 applicant and other project participants;

24 B. a description of the proposed project, including:

25 (1) a statement of the specific waste abatement
26 practices and problem materials management practices to be
27 addressed by the project, as well as an explanation of the
28 problem to be resolved by implementation of these practices at
29 the location of the project;

30 (2) a work plan that includes a list of project
31 activities, an implementation schedule with specific time lines,
32 and a list of persons involved in completing each activity;

33 (3) an estimate of the total number of persons
34 expected to be reached by the project;

35 (4) a description of the benefits and other
36 impacts that are likely to result from the project;

1 (5) a plan for active student participation in
2 development and implementation of the project;

3 (6) a description of all waste education
4 information to be developed or disseminated as part of the
5 project;

6 (7) a description of the location of the project
7 and an evaluation of whether the project has a strong potential
8 for use and replication in other waste abatement programs or
9 projects in the state; and

10 (8) a description of the educational benefit to
11 be provided by the project to students and others;

12 C. a description of how the project will complement
13 local waste education and solid waste management projects,
14 including projects to be conducted under the comprehensive solid
15 waste management plans of the counties in which the project will
16 be performed;

17 D. an evaluation of whether the project will
18 duplicate other efforts to implement waste abatement management
19 practices in the area to be served by the project;

20 E. information demonstrating that the project will
21 comply and be consistent with applicable regulations;

22 F. an itemized description of the project costs,
23 including the total project cost, total grant eligible costs,
24 and the amount of grant funding requested;

25 G. an itemized description of project financing,
26 including the applicant contributions, other government or
27 private cash or in-kind contributions, and, if applicable, any
28 projected revenues from the project;

29 H. a demonstration of support from each county
30 participating in the project; and

31 I. a description of the current status of the project.

32 **Subp. 7. Evaluation of proposals.** The director shall
33 evaluate each proposal that is determined to be eligible and
34 complete, and shall award grants to those projects that the
35 director determines best satisfy the following criteria:

36 A. the project has a strong potential for use and

1 replication in other waste abatement programs or projects in the
2 state;

3 B. the project has a strong likelihood of resulting
4 in the implementation of comprehensive, successful, and
5 sustained waste abatement, litter prevention, and problem
6 materials management practices at the location of the project;

7 C. the project has a strong potential to reach and
8 have a lasting impact on the waste management practices of a
9 large number of persons;

10 D. the project will not duplicate other efforts to
11 implement waste abatement management practices in the area to be
12 served by the project;

13 E. the project will complement local waste education
14 and solid waste management projects, including projects to be
15 conducted pursuant to the comprehensive solid waste management
16 plan of the county in which the project will be performed;

17 F. the project has the support of all public and
18 private entities that are involved in the proposed project;

19 G. the project is conceptually, technically, and
20 economically feasible;

21 H. the persons identified in the application have the
22 experience and knowledge to implement the project and are
23 committed to implementing the project in a timely manner upon
24 receipt of a grant award;

25 I. the proposed project has the necessary financial
26 commitment to cover all proposed project costs;

27 J. the project involves a new or innovative approach
28 to waste abatement, litter prevention, or problem materials
29 management practices, or involves application of an existing
30 approach to an educational facility to which it has not been
31 previously applied;

32 K. the proposed project will provide a substantial
33 educational benefit by enlisting student involvement or other
34 hands-on experience; and

35 L. the proposed project complies with federal, state,
36 and local regulations.