

1 Office of Waste Management

2

3 Adopted Permanent Rules Relating to Solid Waste Source Reduction

4 Grant and Loan Program

5

6 Rules as Adopted

7 9210.0700 SCOPE AND AUTHORITY.

8 Parts 9210.0700 to 9210.0770 implement the solid waste
9 source reduction grant and loan program created and described
10 under Minnesota Statutes, section 115A.55, by establishing the
11 substantive criteria and procedural conditions under which the
12 director may award grants or loans for solid waste source
13 reduction projects.

14 9210.0710 DEFINITIONS.

15 [For text of subps 1 and 2, see M.R.]

16 Subp. 2a. Life span. "Life span" means the length of time
17 or number of times that a product may be used or reused in its
18 original form.

19 [For text of subps 3 and 4, see M.R.]

20 Subp. 5. Program. "Program" means the Solid Waste Source
21 Reduction Grant and Loan Program.

22 [For text of subp 6, see M.R.]

23 Subp. 7. Solid waste source reduction. "Solid waste
24 source reduction" means an activity that prevents the generation
25 of solid waste or the inclusion of toxic materials in waste,
26 including:

27 A. reusing a product in its original form;

28 B. increasing the life span of a product;

29 C. reducing material or the toxicity of material used
30 in production or packaging; or

31 D. changing procurement, consumption, or waste
32 generation habits to result in smaller quantities or lower
33 toxicity of waste generated.

34 Subp. 8. [See repealer.]

1 9210.0720 APPLICATION PROCEDURES.

2 Subpart 1. **Notification by director.** To initiate the
3 process for awarding grants and loans for solid waste source
4 reduction projects, the director shall publish a notice in the
5 State Register advising eligible applicants of the availability
6 of solid waste source reduction grants and loans. The notice
7 shall describe the maximum amount of funding available for a
8 project, and establish a deadline by which proposals must be
9 submitted. In the notice, the director may also limit the types
10 of projects for which a grant or loan would be awarded in the
11 funding round initiated by the notice.

12 [For text of subp 2, see M.R.]

13 Subp. 3. **Determination of eligibility and completeness.**

14 For all proposals received by the director by the deadline
15 established in the notice, the director shall determine the
16 eligibility of the applicant, the eligibility of the proposed
17 project, the eligibility of the costs identified in the
18 proposal, and the completeness of the proposal. A proposal is
19 complete if it enables the director to determine that:

20 A. the project is conceptually, economically, and
21 technically feasible;

22 B. the applicant has demonstrated the ability to
23 develop, implement, and operate the project;

24 C. the applicant has the ability to provide the
25 necessary financing;

26 D. the proposed project has the support of all public
27 entities that are involved in the proposed project, if any;

28 E. the proposed project complies with federal, state,
29 and local regulations; and

30 F. the applicant has ~~set-out-an-explicit~~ proposed a
31 methodology to measure the source reduction to be achieved by
32 the project, measured by weight and volume and by toxicity if
33 relevant.

34 [For text of subps 4 to 6, see M.R.]

35 Subp. 7. **No grant or loan awards.** If the director
36 determines that no proposal will provide sufficient assistance

1 to the state in achieving its solid waste source reduction
2 goals, the director may decide not to award any grant or loan.
3 The director may then reinitiate the process for awarding grants
4 or loans by publishing a notice under subpart 1.

5 [For text of subp 8, see M.R.]

6 9210.0740 GRANT AND LOAN AGREEMENTS.

7 A grant or loan agreement shall:

8 A. incorporate by reference the proposal approved for
9 a grant or loan by the director;

10 [For text of items B to H, see M.R.]

11 I. require that the recipient provide objective,
12 detailed information in its final report listing the solid waste
13 source reduction achieved during the project in terms of:

14 (1) changes in disposed volume when measured
15 under uncompacted conditions;

16 (2) changes in disposed weight;

17 (3) cost changes in purchase and handling of
18 materials;

19 (4) cost changes in solid waste disposal; and

20 (5) changes in toxicity, if any;

21 J. require that all information developed as a result
22 of a grant or loan shall be made available to other persons
23 through the office's public information program;

24 K. require that the recipient maintain detailed
25 records of all expenditures related to the project; and

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

28 9210.0750 PUBLIC INSTITUTION GRANT PROGRAM.

29 Subpart 1. **Scope.** This part establishes the conditions
30 under which the director shall award solid waste source
31 reduction public institution grants.

32 Subp. 2. **Eligible applicants.** Eligible applicants are
33 political subdivisions and other public entities, including
34 county and local agencies; state agencies other than the office
35 and the Pollution Control Agency; school districts,

1 universities, and hospitals; and solid waste management
2 districts established under Minnesota Statutes, sections 115A.62
3 to 115A.72.

4 Subp. 3. **Eligible projects.** Eligible projects are
5 projects that study the technical and economic feasibility of
6 solid waste source reduction activities or projects that
7 implement solid waste source reduction activities. Projects
8 that study or implement composting or recycling are not
9 considered eligible projects.

10 Subp. 4. **Eligible costs.** Eligible costs are limited to:

11 [For text of item A, see M.R.]

12 B. 75 percent of the costs of implementing a solid
13 waste source reduction project, except that only 50 percent of
14 the costs of purchasing and installing equipment is eligible.

15 The costs of operating or maintaining equipment, or of
16 purchasing or renting real property, are not eligible costs.
17 Regardless of the amount of eligible costs, no grant shall be
18 awarded for an amount that exceeds the maximum established by
19 the notice under part 9210.0720, subpart 1.

20 Subp. 5. **Proposal.** An eligible applicant shall submit a
21 proposal in the form specified by the director. The director
22 may request additional information from the applicant if it is
23 necessary to clarify the proposal. A proposal must include the
24 following information:

25 [For text of item A, see M.R.]

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

27 [For text of subitems (1) and (2), see M.R.]

28 (3) type, volume, weight, and toxicity of solid
29 waste to be eliminated by the proposed project, including
30 currently available information on potential savings in purchase
31 or disposal costs and an explanation on how these estimates were
32 determined;

33 (4) current status of the proposed project with a
34 brief description of any similar projects already tested or
35 implemented; and

36 (5) statewide significance of the results to be

1 gained, including the potential for other persons in the state
 2 to use results from the proposed project~~7--including-a~~
 3 ~~quantification-of-the-estimated-number-of-these-persons-and-the~~
 4 ~~potential-solid-waste-reductions-if-the-information-were-used-by~~
 5 ~~them;~~

6 C. a financial report including:

7 [For text of subitem (1), see M.R.]

8 (2) an itemized description of the proposed
 9 project financing, including the applicant contributions, other
 10 government contributions, private contributions, and where
 11 applicable, any projected revenues from the proposed project;
 12 and

13 [For text of subitem (3), see M.R.]

14 [For text of items D and E, see M.R.]

15 Subp. 6. **Evaluation of proposals.** The director shall
 16 evaluate and rank each proposal that is determined to be
 17 eligible and complete and shall award grants to those projects
 18 that, in the director's view, best satisfy the following
 19 criteria:

20 A. the degree to which the project promises to be
 21 cost-effective and, therefore, would be sustainable after grant
 22 funding is concluded;

23 B. the degree to which the applicant demonstrates the
 24 experience, commitment, and knowledge needed to complete the
 25 proposed project in a timely manner upon receipt of a grant
 26 award;

27 C. the degree to which the proposed project is
 28 consistent with the office's solid waste source reduction
 29 priorities and promises significant reduction in solid waste,
 30 whether measured by weight, volume, toxicity, or a combination
 31 of these; and

32 D. if the grant is for a feasibility study, the
 33 degree to which the proposed project avoids duplication of
 34 previous work and explores source reduction options not yet
 35 tested.

36 In comparing proposals for grant awards, the director shall

1 give priority to solid waste source reduction projects that have
2 the broadest application to persons in the state and that have
3 significant potential to reduce the generation of solid waste,
4 whether measured by weight, volume, toxicity, or a combination
5 of these.

6 9210.0760 PRIVATE SECTOR GRANT PROGRAM.

7 Subpart 1. **Scope.** This part establishes the conditions
8 under which the director shall award solid waste source
9 reduction feasibility study and implementation grants.

10 Subp. 2. **Eligible applicants.** Eligible applicants are
11 private persons that generate solid waste in Minnesota.

12 Subp. 3. **Eligible projects.** Eligible projects are
13 projects that study the technical and economic feasibility of
14 solid waste source reduction activities or projects that
15 implement solid waste source reduction activities. Projects
16 that study composting or recycling are not considered eligible
17 projects.

18 Subp. 4. **Eligible costs.** Eligible costs are limited to:

19 A. 50 percent of technical and economic feasibility
20 studies, including labor and supplies necessary to conduct these
21 studies; and

22 B. 50 percent of the costs of implementing a solid
23 waste source reduction project, except that only 20 percent of a
24 grant award may be spent for final design and engineering plan
25 costs.

26 The costs of operating or maintaining equipment, or of
27 purchasing or renting real property, are not eligible costs.
28 Regardless of the amount of eligible project costs, no grant
29 shall be awarded for an amount that exceeds the maximum
30 established by the notice under part 9210.0720, subpart 1.

31 Subp. 5. **Proposal.** An eligible applicant shall submit a
32 proposal in the form specified by the director. The director
33 may request additional information from the applicant if it is
34 necessary to clarify the proposal. A proposal must include the
35 following information:

1 [For text of item A, see M.R.]

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

3 [For text of subitems (1) and (2), see M.R.]

4 (3) type, volume, weight, and toxicity of solid
5 waste that implementation of the proposed project may eliminate,
6 including currently available information on potential savings
7 on purchase and disposal costs and an explanation on how these
8 estimates were determined;

9 (4) current status of the proposed project with a
10 brief description of any similar projects already tested or
11 implemented; and

12 (5) statewide significance of the results to be
13 gained, including the potential for other persons in the state
14 to use results from the proposed project,~~including a~~
15 ~~quantification of the estimated number of these persons and the~~
16 ~~potential solid waste reductions if the information were used by~~
17 ~~them;~~

18 C. a financial report including:

19 (1) an itemized description of the proposed
20 project costs, including the total estimated costs, total grant
21 eligible costs, the amount of grant funding requested, and a
22 discussion of the economic feasibility of implementing the
23 proposed project;

24 [For text of subitem (2), see M.R.]

25 (3) additional financial information if requested
26 by the director from the applicant or participants, including a
27 business plan, historical and projected financial statements,
28 and credit information, if it is necessary to clarify and
29 evaluate the proposal;

30 D. information demonstrating that the project will
31 comply with applicable regulations, including a list of permits
32 required for the project; and

33 E. if the proposal relates to an implementation
34 project, information demonstrating the technical feasibility of
35 the proposed project.

36 Subp. 6. Evaluation of proposals. The director shall

1 evaluate and rank each proposal that is determined to be
2 eligible and complete and shall award grants to those projects
3 that, in the director's view, best satisfy the following
4 criteria:

5 A. the degree to which the project promises to be
6 cost-effective and, therefore, would be sustainable after grant
7 funding is concluded;

8 B. the degree to which the applicant demonstrates the
9 experience, commitment, and knowledge needed to complete the
10 proposed project in a timely manner upon receipt of a grant
11 award;

12 C. the degree to which the proposed project is
13 consistent with the office's solid waste source reduction
14 priorities and promises significant reduction in solid waste,
15 whether measured by weight, volume, toxicity, or a combination
16 of these; and

17 D. if the grant is for a feasibility study, the
18 degree to which the proposed project avoids duplication of
19 previous work and explores source reduction options not yet
20 tested.

21 In comparing proposals for grant awards, the director shall
22 give priority to solid waste source reduction projects that have
23 the broadest application to persons in the state and that have
24 significant potential to reduce the generation of solid waste,
25 whether measured by weight, volume, toxicity, or a combination
26 of these.

27 9210.0770 PRIVATE SECTOR IMPLEMENTATION LOAN PROGRAM.

28 Subpart 1. **Scope.** This part establishes the conditions
29 under which the director shall award solid waste source
30 reduction loans.

31 Subp. 2. **Eligible applicants.** Eligible applicants are
32 private persons that generate solid waste in Minnesota.

33 Subp. 3. **Eligible projects.** Eligible projects are
34 projects that implement solid waste source reduction activities.
35 Projects that implement composting or recycling are not

1 considered eligible projects.

2 Subp. 4. Eligible costs. Eligible costs are limited to 50
3 percent of the costs of implementing a solid waste source
4 reduction activity, except that only 20 percent of a loan award
5 may be spent for final design and engineering plan costs. In
6 addition, the cost of operating or maintaining equipment, or of
7 purchasing or renting real property, are not eligible costs.
8 Regardless of the amount of eligible costs, no loan shall be
9 awarded for an amount that exceeds the maximum established by
10 the notice under part 9210.0720, subpart 1.

11 Subp. 5. Proposal. An eligible applicant shall submit a
12 proposal in the form specified by the director. The director
13 may request additional information from the applicant if it is
14 necessary to clarify the proposal. A proposal must include the
15 following information:

16 [For text of item A, see M.R.]

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

18 [For text of subitems (1) and (2), see M.R.]

19 (3) type, volume, weight, and toxicity of solid
20 waste to be eliminated by the proposed project, including
21 currently available information on potential savings in purchase
22 or disposal costs and an explanation on how these estimates were
23 determined;

24 (4) current status of the proposed project with a
25 brief description of any similar projects already tested or
26 implemented; and

27 (5) statewide significance of the results to be
28 gained, including the potential for other persons in the state
29 to use results from the proposed project,~~including a~~
30 ~~quantification of the estimated number of these persons and the~~
31 ~~potential solid waste reductions if the information were used by~~
32 ~~them;~~

33 [For text of items C to E, see M.R.]

34 Subp. 6. Evaluation of proposals. The director shall
35 evaluate and rank each proposal that is determined to be
36 eligible and complete and shall award loans to those projects

1 that, in the director's view, best satisfy the following
2 criteria:

3 A. the degree to which the project promises to be
4 cost-effective and, therefore, would be of interest to other
5 persons;

6 B. the degree to which the applicant demonstrates the
7 experience, commitment, and knowledge needed to complete the
8 proposed project in a timely manner upon receipt of a loan
9 award;

10 C. the degree to which the proposed project is
11 consistent with the office's solid waste source reduction
12 priorities and promises significant reduction in solid waste,
13 whether measured by weight, volume, toxicity, or a combination
14 of these; and

15 D. the degree to which the proposed project avoids
16 duplication of previous work and explores source reduction
17 options not yet tested.

18 In comparing proposals for loan awards, the director shall
19 give priority to solid waste source reduction projects that have
20 the broadest application to persons in the state and that have
21 significant potential to reduce the generation of solid waste,
22 whether measured by volume, weight, toxicity, or a combination
23 of these.

24 REPEALER. Minnesota Rules, part 9210.0710, subpart 8, is
25 repealed.