

**446A.082 EMERGING CONTAMINANTS GRANTS.**

Subdivision 1. **Program established.** When money is appropriated under this program, the authority shall award grants to a governmental unit for up to 50 percent of the cost of drinking water infrastructure projects to address a confirmed exceedance of a health advisory level for a drinking water emerging contaminant as defined by the Environmental Protection Agency.

Subd. 2. **Eligibility.** An eligible project for this program must:

(1) be listed on the Drinking Water Revolving Fund Project Priority List under Minnesota Rules, part 4720.9015;

(2) receive priority points under Minnesota Rules, part 4720.9020, subpart 4a; and

(3) be certified by the commissioner of health under Minnesota Rules, part 4720.9060.

Subd. 3. **Application and reservation of funds.** (a) Grant applications to the authority may be made at any time on forms prescribed by the authority, including a project schedule and cost estimate for the work necessary to comply with the purpose described in subdivision 2.

(b) The commissioner of health shall review and certify to the authority those projects that have plans and specifications approved under Minnesota Rules, part 4720.9060. When a project is certified by the commissioner of health, the authority shall reserve grant funds for the project in the order listed on the commissioner of health's project priority list and in an amount based on the cost estimate in the commissioner of health's certification or the as-bid costs, whichever is less.

Subd. 4. **Grant amount.** The grant amount for an eligible project under this program shall be for an amount up to 50 percent of the eligible as-bid project cost up to \$5,000,000, minus the amount of federal emerging contaminant funds the project receives under section 446A.081, subdivision 9, paragraph (b), clause (4), or other federal emerging contaminant funds.

Subd. 5. **Grant approval.** The authority shall award a grant for an eligible project only after:

(1) the applicant has submitted the as-bid project cost;

(2) the commissioner of health has certified the grant eligible portion of the project; and

(3) the authority has determined that the additional financing necessary to complete the project has been committed from other sources.

Subd. 6. **Grant disbursement.** Grant funds shall be disbursed by the authority as eligible project costs are incurred by the governmental unit and in accordance with a project financing agreement and applicable state laws and rules governing the disbursements.

Subd. 7. **Recovering expenses.** Money granted to a grantee under this program may be recovered in a civil action brought by the attorney general against any person who may be liable under section 115B.04 or any other law. To be eligible for recovery, the expenses must be reasonable and necessary expenses, including all response costs, and administrative and legal expenses. The authority, Department of Health, and Pollution Control Agency's certification of expenses shall be prima facie evidence that the expenses are reasonable and necessary. Any money recovered in a civil action for a project financed with bonds under this section

shall be transferred to the commissioner of management and budget for deposit in the state bond proceeds fund and applied toward principal interest on outstanding bonds.

**History:** *1Sp2025 c 15 art 2 s 8*