

STATE OF MINNESOTA
WASTE MANAGEMENT BOARD

In the Matter of the Proposed
Amendments to Rules of the
State Waste Management Board
Governing the Solid Waste Processing
Facilities Demonstration Program
6MCAR §§8.401 - 8.412

STATEMENT OF NEED
AND REASONABLENESS

I. INTRODUCTION

The subject of this rulemaking proceeding is the amendment of the adopted rules governing the award of grants and loans for capital costs of solid waste processing facilities. The rules for the Waste Management Board (hereinafter "Board"), 6MCAR §§ 8.401 - 8.412, were adopted to provide an orderly and predictable method to identify eligible projects and project costs; specify grant and loan application procedures; provide application deadlines; establish project review and evaluation criteria; set limitations on grant and loan awards; and specify the contents of grant and loan agreements.

The present rules were drafted to change and in some cases add to the adopted rules in order to make them consistent with the 1983 amendments to the statutory provisions governing the Board's Solid Waste Processing Facilities Demonstration Program. See Minn. Laws 1983, ch. 373, § 38.

These rules will follow the procedure for non-controversial rule making.

II. NEED FOR THE PROPOSED AMENDMENTS

The Board is required by Minnesota Statutes, Section 115A.49 to promulgate rules to govern its activities under the solid waste processing facilities demonstration program. These amendments are necessary to make the adopted rules consistent with Minn. Stat. § 115A.54, subd. 4, as amended by Minn. Laws 1983, Ch. 373, § 38.

incorrect ref.
correct ref. is "subd. 2"

III. REASONABLENESS OF THE PROPOSED AMENDMENTS

6MCAR § 8.403 Eligibility Criteria

B. Eligible projects.

This section identifies types of projects which are eligible for grants and loans: waste to energy; materials recovery; chemical, physical, or biological modifications; transfer stations; special waste streams; and waste incineration with resource recovery. The change in 6MCAR § 8.403.B. is needed to conform the rule to statute.

6MCAR § 8.404 Information required on the grant and loan application.

11. This part requests information on the type of waste processing facility for which a grant or loan is being applied for. The eligible types of projects are expanded from five types to six types. The change in 6MCAR § 8.404.11 is needed to conform the rule to the statute.

6MCAR § 8.408 Project type evaluation.

H. Waste incineration with resource recovery factors.

This section identifies factors that will assist the Board in evaluating project proposals for this specific technology type. The specific justification for each factor specified in 6MCAR § 8.408. H. is as follows:

1. The percent of the total waste stream subjected to resource recovery.

This factor provides information necessary to ensure that a substantial level of resource recovery is part of the overall solid waste management of the applicant.

2. The percent and types of materials recovered from the total waste stream.

This factor provides information necessary to identify quantities by material type recovered from the total waste stream. This information will assist the Board in evaluating the extent to which a proposed facility would be able to solve an area's solid waste management problems. This information will also assist the Board in evaluating the financial feasibility of the proposed project.

3. The revenue derived from recovered materials.

This factor provides information necessary to evaluate the financial feasibility of the project being proposed.

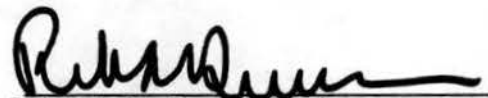
4. The relationship of the recovered materials to the waste incinerated.

This factor will provide information that identifies the source of the recovered materials, i.e. whether or not the materials recovered are extracted from the waste stream to be incinerated.

5. The economic evaluation of all potentially recoverable materials.

This factor will provide information on the economics on the full spectrum of potentially recoverable materials. This information will be useful in evaluating the level of resource recovery proposed and also in determining the feasibility of the proposal.

Dated: October 31, 1983



Robert G. Dunn, Chairman
Waste Management Board