

Title 194 - Department of Environmental Quality

Chapter 12 - CASH FUNDS

001 Local Site Selection Cash Fund.

001.01 Purpose.

Payment under this fund is for all reasonable and necessary costs of the local monitoring committees which exist until a site is selected.

001.02 Application.

Each committee may apply to the department, on forms provided by the department, for a one-time grant not to exceed the amount appropriated by the Legislature. An application must be received by the department no later than 45 days after the committee is formed.

001.03 Award.

001.03A The Director shall award the grant if he or she finds that the committee's composition satisfies the requirements of Chapter 11, 001.02, and that proposed expenditures of the committee meet the purpose described in this section and as provided in Chapter 11.

001.04 Conditions.

001.04A By March 1 of the year following the grant award, each grantee shall provide the department a written accounting of grant money expended.

001.04B If the department determines that the grant was not expended in furtherance of the purpose as described in this section or as provided in Chapter 11, or any unexpended balance exists, the grantee shall remit to the department that amount of the grant which was not properly expended or any unexpended balance.

001.04C The department may audit a grantee's records on expenditures.

002 Local Monitoring Committee Cash Fund.

002.01 Purpose.

Payment under this fund is for all reasonable and necessary costs of the local monitoring committee which continues to exist after a site is selected.

002.02 Distribution.

002.02A The committee may request from the department, the annual amount appropriated by the Legislature.

002.02B The director shall distribute the money from the fund if he or she finds that the proposed expenditures of the committee meet the purpose described in this section and as provided in Chapter 11.

002.03 Conditions.

002.03A No more than 30 days after each calendar quarter, the committee shall file with the department, a report 1) documenting the specific purposes for which money was expended, and 2) including a balance statement current to the end of the last complete calendar quarter.

002.03B The department shall audit a committee's records on expenditures.

002.03C If the department determines that the funds were not properly expended in furtherance of the purpose described in this section or as provided in Chapter 11, the committee shall remit to the department that amount of the funds which were not properly expended or any unexpended balance.

003 Community Improvements Cash Fund.

003.01 Purpose.

Payment under this fund is made to the community(ies) which are under active consideration to host the facility. Community for purposes of this fund, shall mean the county where the site is proposed and the municipality(ies) in that county.

003.02 Distribution.

003.02A Each community under active consideration to host a facility is eligible to receive from the department an annual amount appropriated by the legislature to be used for public purposes as provided in Section 81-15,113.01 of the Act.

003.02B The department shall distribute money from the fund to the community as follows:

003.02B1. Prior to final site selection;

003.02B2. After final site selection;

003.02B3. Once the facility is operational and during the operational life of the facility.

003.03 Conditions.

003.03A By March 1 of the year following the cash fund distribution, the recipients shall provide the department a written accounting of money expended.

003.03B The department shall audit a recipient's records on expenditures.

003.03C If the department determines that the funds were not expended for a public purpose(s), the recipient shall remit to the department that amount of the funds which were not properly expended.

Enabling Legislation: Neb. Rev. Stat. §§81-15,101 01 and 81-15,113.01

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