

DEPARTMENT OF NATURAL RESOURCES 154-3

(4) Regardless of their priority value determined under this chapter, projects which are ranked 1 through 86 inclusive on the project priority list of December 18, 1973 shall be given the same priority ranking under this chapter provided that project sponsors have proceeded expeditiously to meet federal requirements for a construction grant. If the department determines as of the effective date of these rules, that a sponsor has not proceeded expeditiously to meet federal requirements for a construction grant, it shall so notify the sponsor. If he so desires, the sponsor may within 30 days inform the department in writing of the reasons why he has not so acted and may submit an anticipated schedule of progress. If such a schedule cannot be mutually agreed to by the sponsor and the department, or the agreed upon schedule has not been adhered to, the project shall then be ranked based on its priority value determined under this chapter.

**History:** Cr. Register, September, 1975, No. 237, eff. 10-1-75.

**NR 160.07 Cluster projects.** (1) Where several projects are proposed to be associated with a common project and are not separable in their analysis, design, construction and management, the department may consider them as a cluster project. In making its determination, the department will consider technological and economic feasibility, as well as environmental and institutional considerations. Sanitary sewer collection systems will not be considered as part of a cluster project.

(2) Cluster projects will be assigned the priority value of the highest individual project, adjusted to include the sum of population equivalents which contribute to the common project.

(3) For determination of (step 1) facilities planning priorities, a formal resolution of intent to discharge to a single regional waste treatment plant by the governing bodies of the participating municipalities will be required prior to construction of such a project. For consideration of (step 2) plans and specifications grants and (step 3) construction grants, a contract committing the participating municipalities to cooperative wastewater treatment will be required. When a statement of intent or a contract to effect regional treatment is submitted for each municipality together with a single priority evaluation review form, a cluster priority will be considered.

*consideration*

**History:** Cr. Register, September, 1975, No. 237, eff. 10-1-75.

**NR 160.08 Severability.** Should any section, paragraph, phrase, sentence, clause or word of this chapter be declared invalid or unconstitutional for any reason, the remainder of this chapter shall not be affected thereby.

**History:** Cr. Register, September, 1975, No. 237, eff. 10-1-75.