

18 AAC is amended by adding a new chapter to read:

Chapter 54. Requirements for the Distribution and Receipt of Financial Aid.

18 AAC 54.010. Applicability. This chapter applies to award and administration of grants for control of air emissions or the development or administration of air quality control programs as authorized by AS 46.14.535.

(Eff. __/__/____, Register __)

Authority: AS 44. 62 AS 46.14.535

18 AAC 54.020. Solicitation of applications. (a) Subject to the availability of funds, the department may solicit applications for air quality improvement grants. Solicitations will be written and will establish and describe

- (1) the purpose or activity for which grants are available;
- (2) criteria for applicant eligibility;
- (3) eligible activities;
- (4) application procedures including required submissions and timeframes;
- (5) amounts of funding available; and
- (6) the criteria that will be used to evaluate and rank applications.

(b) Solicitations may describe other matters or include other information the department deems relevant and useful for its purposes or to assist applicants and the public.

(c) When soliciting applications for grants under this chapter, the department will publish notice of the availability of grant funds in a newspaper of general circulation and on the Alaska Online Public Notice System established under AS 44.62.175. The department may

provide additional notice in other form or manner to bring the solicitation to the attention of the public. (Eff. __/__/____, Register __)

Authority: AS 44.62 AS 46.14.535

18 AAC 54.030. Evaluation of applications. (a) The department will review grant applications based on criteria such as

- (1) the quality of the grant application;
- (2) the degree to which proposed activities will achieve the purposes of the grant program;
- (3) whether the application includes commitments of other funds to supplement departmental grant funds;
- (4) the expected benefits to human health or the environment;
- (5) the degree of coordination with local governments and other entities; and
- (6) performance of applicants pursuant to similar grant agreements.

(b) The department will rate applications assigning numeric scores to review criteria.

(c) The department will make decisions among applications as to which warrant grant agreements based on a numeric scoring and ranking system.

(Eff. __/__/____, Register __)

Authority: AS 44. 62 AS 46.14.535

18 AAC 54.040. Grant agreement. (a) The department may proffer a grant agreement to an applicant. The terms of a proffered agreement will include conditions imposed by the department and may include or incorporate by reference elements of the grant application.

(b) The department will specify in any grant agreement the promises and obligations of both parties to be performed under the grant agreement to achieve the intended purposes and benefits. The department will also include in any grant agreement standard terms and conditions that specify procedures for documentation of expenditures, procedures for making grant payments to the grantee, accounting and reporting requirements, indemnification and insurance requirements, audit provisions and procedures, records management practices, access to records, dispute resolution procedures, appeal procedures pursuant to 18 AAC 54.050, procedures for release of information to the media, requirement to comply with the law, modification and termination of the agreement, and other provisions the department determines are reasonable and necessary.

(c) A grant agreement will become legally binding and enforceable when it has been signed by the commissioner or commissioner's designee and by a representative of the grantee having authority to legally bind the grantee.

(Eff. __/__/____, Register __)

Authority: AS 46.14.535 AS 44.62

18 AAC 54.050. Administrative appeals. Nothing in this section affects a person's right to request an informal review under 18 AAC 15.185 or to request an adjudicatory hearing under 18 AAC 15.195 – 340. (Eff. __/__/____, Register __)

Authority: AS 44.62 AS 46.14.535