

CHAPTER 7190
POLLUTION CONTROL AGENCY
HARMFUL SUBSTANCE CLAIMS, COMPENSATION

7190 0001 DEFINITIONS
7190 0008 CLAIM REVIEW
7190 0015 CLAIM DETERMINATION

7190 0100 DEFINITIONS
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7190.0001 DEFINITIONS.

[For text of subpart 1, see M R.]

Subp 2. [Repealed, L 2002 c 379 art 2 s 24]

[For text of subp 3, see M R]

Subp 4. [Repealed, L 2002 c 379 art 2 s 24]

Subp. 5. **Staff.** “Staff” means a staff member of the Pollution Control Agency

Statutory Authority: *MS s 115B 28*

History: *L 2002 c 379 art 2 s 23,24*

7190.0002 [Repealed, L 2002 c 379 art 2 s 24]

7190.0003 [Repealed, L 2002 c 379 art 2 s 24]

7190.0004 [Repealed, L 2002 c 379 art 2 s 24]

7190.0008 CLAIM REVIEW.

Subpart 1. [Repealed, L 2002 c 379 art 2 s 24]

Subp 2. [Repealed, L 2002 c 379 art 2 s 24]

Subp. 3 **Claims lacking required information.** If the Pollution Control Agency determines the claim lacks required information, the agency will provide the claimant written notice describing the required information, the time limits for providing the information, and the consequences of not providing the required information.

Subp. 4. **Extensions of time for providing required information.** If a claimant cannot provide the required information within the designated time limits, the claimant may request from the agency an extension of time. The request must be made as soon as reasonably practicable and be in writing. It must give the reasons the extension is needed and the date the information will be provided. The agency may approve a request for extension of time. If the agency determines a request for extension of time should be denied, the agency will submit the request and the agency’s determination to agency staff. The agency staff will issue a written decision to grant or deny the extension. The agency will notify the claimant in writing of the decision to grant or deny as soon as practicable after the claimant makes the request.

Statutory Authority: *MS s 115B 28*

History: *L 2002 c 379 art 2 s 23,24*

7190.0015 CLAIM DETERMINATION.

Subpart 1. [Repealed, L 2002 c 379 art 2 s 24]

Subp. 2. [Repealed, L 2002 c 379 art 2 s 24]

Subp. 3. **Claimant review of protected information.** Within 30 days of receiving the final decision of the Pollution Control Agency, a claimant may request to review protected information relevant to the final determination of the claim. The claimant

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must agree in writing to maintain the confidentiality of such information under Minnesota Statutes, section 115B.35.

Statutory Authority: *MS s 115B 28*

History: *L 2002 c 379 art 2 s 23,24*

7190.0100 DEFINITIONS.

[For text of subpart 1, see MR]

Subp 2. [Repealed, L 2002 c 379 art 2 s 24]

[For text of subp 3, see MR]

Subp 4 **Claimant.** "Claimant" means a person whom the Pollution Control Agency determines has an eligible claim for personal injury

[For text of subs 5 to 12, see MR]

Statutory Authority: *MS s 115B 34*

History: *L 2002 c 379 art s 23,24*

7190.1000 DEFINITIONS.

Subpart 1 [Repealed, L 2002 c 379 art 2 s 24]

[For text of subs 2 and 3, see MR]

Subp. 4. **Wage.** "Wage" means the average gross weekly wage received by the claimant for the highest three of the five years immediately preceding death or the date of diagnosis of the injury causing the death, whichever is greater. If the claimant was self-employed, wage means the income of the claimant from the business for the highest three of the five years immediately preceding death or the date of diagnosis of the injury causing the death, whichever is greater. The claimant's dependents may request the Pollution Control Agency use the date of the exposure to the harmful substance to calculate the wage, if the dependents document the date of exposure

Statutory Authority: *MS s 115B 34*

History: *L 2002 c 379 art 2 s 23,24*