

**WAC 173-321-040 Applicant eligibility.** (1) Public participation grants are awarded only to individuals who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations.

(2) The following individuals or organizations are ineligible for grant funding:

(a) Any person potentially liable, as defined under RCW 70.105D.040;

(b) Local governments including any political subdivision, regional governmental unit, district, municipal or public corporation, including cities, towns, and counties. The term encompasses but does not refer specifically to the departments within a city, town, or county;

(c) Federal and state governments, or agencies thereof;

(d) Federally recognized Indian tribes, as a governing body with the following exceptions:

(i) Individual tribe members who may be adversely affected by the release or threatened release of a hazardous substance; and

(ii) Not-for-profit tribal organizations.

(e) Public and private universities; and

(f) Any organization located outside of Washington state boundaries.

(g) Any individual or organization that does not meet the eligibility requirements of subsection (1) of this section.

[Statutory Authority: Chapter 70.105D RCW, RCW 70.105D.070 and 70.105D.070(8). WSR 17-14-045 (Order 16-13), § 173-321-040, filed 6/28/17, effective 7/29/17. Statutory Authority: Chapter 70.105D RCW. WSR 01-05-024 (Order 97-09A), § 173-321-040, filed 2/12/01, effective 3/15/01. Statutory Authority: RCW 43.21A.080 and chapter 70.105D RCW. WSR 90-18-065 (Order 90-20), § 173-321-040, filed 9/4/90, effective 10/5/90. Statutory Authority: 1989 c 2. WSR 89-21-072 (Order 89-26), § 173-321-040, filed 10/17/89, effective 11/17/89.]