

6130.5100 CANCELLATION OF PERMIT.

Subpart 1. **Cancellation at the request of permittee.** A proceeding to cancel a permit to mine at the request of the permittee is commenced when a permittee files a written request with the commissioner. The request shall identify the permittee and give reasons for the cancellation.

Within 30 days after the receipt of a request, the commissioner shall determine whether cancellation would have a significant adverse effect on any public interest relating to the goals of these parts.

If the commissioner determines that cancellation shall have such adverse effect the permittee shall publish an advertisement pursuant to part 6130.5700 and the commissioner shall proceed as if the commissioner had received an application for a permit to mine, pursuant to part 6130.4800.

If the commissioner determines that the cancellation shall not have such adverse effect, the permit may be canceled with or without conditions.

Subp. 2. **Cancellation with consent of permittee.** A proceeding to cancel a permit to mine with the consent of the permittee is commenced when the commissioner serves the permittee with written request giving reasons for the cancellation.

If no reply or an affirmative reply is filed with the commissioner within 30 days, procedures pursuant to subpart 1 shall be commenced except that the commissioner shall publish an advertisement pursuant to part 6130.5700.

If a negative reply is filed with the commissioner within 30 days, the permit to mine will continue in effect or a proceeding to revoke the permit to mine pursuant to part 6130.5200 shall be commenced.

Statutory Authority: *MS s 93.47*

History: *17 SR 1279*

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