

4410.7906 PROCEDURE FOR THE ISSUANCE OF A DRILLING PERMIT.

Subpart 1. **Drilling permit required.** A drilling permit shall be obtained from the board for each potentially impacted area prior to commencing any drilling to obtain geologic and hydrologic information, other than the drilling of geophysical shot holes, relating to the disposal of high-level radioactive waste.

Subp. 2. **Content of an application for drilling permit.** An application for a drilling permit shall be filed by the applicant with the board and shall include:

- A. the name of the applicant seeking a drilling permit;
- B. the name and address of an agent for the applicant;
- C. the applicant's explorer's license, issued under Minnesota Statutes, section 156A.071, subdivision 2, and parts 4727.0400 to 4727.0900;
- D. a description of the proposed drilling operation including the number, type, size, and depth of drill holes;
- E. United States Geological Survey topographical maps to the scale 1:24,000 or smaller on which are drawn to scale the exact locations of the right-of-way and the proposed drill holes;
- F. a development plan showing the rights-of-way and the geographical and cultural features existing on each side of the rights-of-way in an area not less than 200 feet in width on each side of the right-of-way. The scale of the plan shall not be greater than 200 feet per inch. The development plan shall show, to the scale of the plan, dimensions, elevations, contours (using contour intervals of five feet or less), drill hole locations, field construction of drilling equipment, and present and planned pertinent features, including but not limited to roads, buildings, encampments, shelterbelts, fencing, surface water and its diversion or drainage, and present land use. The plan shall show the stages of development from right-of-way preparation through all phases of construction and maintenance;
- G. a time schedule for acquisition and construction of each right-of-way starting with the initial visual inspection of the right-of-way. The time schedule shall include the proposed commencement and finishing dates of each stage of investigative activities, and shall also include the proposed date of right-of-way clearance, temporary and permanent abandonment, right-of-way restoration activities, and the method and schedule of drill hole monitoring;
- H. a listing of the federal, state, and local permits that may be required for the proposed drilling and the accompanying right-of-way clearance;

I. a description of the environmental setting and the potential environmental impacts of right-of-way clearance and drilling on the following:

- (1) groundwater-bearing formations, whether in bedrock, glacial, or postglacial sediments;
- (2) surface water;
- (3) agricultural lands;
- (4) artificial structures;
- (5) transportation routes;
- (6) residences;
- (7) water wells;
- (8) rare or endangered species; and
- (9) wildlife habitat, native grassland, and other natural areas;

J. existing or potential point and nonpoint sources of pollution on or near the right-of-way that could contaminate surface water or water-bearing formations underground because of the investigative activities.

Subp. 3. **Acceptance of drilling permit application.** Within 30 days of receipt of a permit application, the chair shall review it for completeness pursuant to subpart 2 and accept or reject the application. If the chair rejects the application, the chair shall upon rejection inform the applicant which deficiencies, if corrected, will allow the application to be accepted. Upon resubmission, the chair shall have 30 days to review the amended application and accept or reject it. After acceptance of an application, the applicant shall provide any additional relevant information that the chair or the board determines necessary for board approval of the application. The applicant shall supply extra copies of the application to the members of the board, to the technical representatives to the board designated by an agency member of the board, and five copies to the board's staff.

Subp. 4. **Copy of application to historical society and county auditor.** When an applicant files a permit application with the board, the applicant shall simultaneously send a copy of the application to the Minnesota historical society, and to the office of the county auditor in each county or any portion of a county within the potentially impacted area. The county auditor shall retain and file the application in a manner making it accessible to the public.

Statutory Authority: *MS s 116C.724*

History: *10 SR 2290; 17 SR 1279*

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