

4420.0010 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of this chapter, the following terms and abbreviations have the meanings given them unless otherwise provided.

Subp. 2. **Agency.** "Agency" means a department, board, or agency of the state of Minnesota.

Subp. 3. **Applicant.** "Applicant" means a person or persons who file an application with the board for a release permit to release a genetically engineered organism.

Subp. 4. **Application.** "Application" means the document filed by a person or persons with the board for a release permit to release a genetically engineered organism.

Subp. 5. **Board.** "Board" means the Environmental Quality Board.

Subp. 6. **Chair.** "Chair" is the chairperson of the board as defined in part 4405.0100, subpart 4.

Subp. 7. **Containment facility.** "Containment facility" means a laboratory, greenhouse, building, structure, or other similar facility that complies with applicable NIH guidelines, regardless of whether the facility receives any support from NIH, and is certified pursuant to part 4420.0070, subpart 1, or that has been exempted by the board under part 4420.0070, subpart 3.

Subp. 8. **Draft release permit documents.** "Draft release permit documents" means the documents prepared by the chair under part 4420.0030, subpart 3, that include the chair's preliminary recommendation to the board to issue or modify a release permit and the proposed terms and conditions of the release permit, or the chair's preliminary recommendation to the board to deny or to revoke a release permit.

Subp. 9. **EAW.** "EAW" means environmental assessment worksheet and has the meaning given in part 4410.0200, subpart 24.

Subp. 10. **EIS.** "EIS" means environmental impact statement and has the meaning given in part 4410.0200, subpart 26.

Subp. 11. **Environment.** "Environment" means the physical conditions existing in the area that may be affected by a proposed release. It includes land, air, water, minerals, flora, fauna, ambient noise, energy resources, and artifacts or natural features of historic, geologic, or aesthetic significance.

Subp. 12. **Federal application.** "Federal application" means any applications or notifications and supporting documents submitted to any agency of the United States government for the release of a genetically engineered organism.

Subp. 13. **File.** "File" means to deliver or mail five copies to the office of the chair.

Subp. 14. **Genetically engineered organism.** "Genetically engineered organism" means an organism derived from genetic engineering.

Subp. 15. **Genetic engineering.** "Genetic engineering" means the introduction of new genetic material to an organism or the regrouping of an organism's genes using techniques or technology designed by humans. Genetic engineering does not include selective breeding, hybridization, or nondirected mutagenesis, such as hand pollination, procedures based on sexual reproduction that have not involved molecular level manipulation of the genetic material, hybridization where the parent strains do not include genetic material that has been manipulated on the molecular level, mutagenesis induced by chemical, radiation, or heat, embryo rescue, selection of spontaneous mutants, somaclonal variant selection, and artificial insemination.

Subp. 16. **Local governmental unit.** "Local governmental unit" has the meaning given in part 4410.0200, subpart 43.

Subp. 17. **NIH guidelines.** "NIH guidelines" means the National Institutes of Health (NIH) "Guidelines for Research Involving Recombinant DNA Molecules," Federal Register, volume 51, page 16958 (May 7, 1986), and NIH actions under the guidelines in Federal Register, volume 52, page 31848 (August 24, 1987); volume 53, page 28819 (July 29, 1988); volume 53, page 43410 (October 26, 1988); volume 54, page 10508 (March 13, 1989); volume 55, page 7438 (March 1, 1990); volume 55, page 37565 (September 12, 1990); and volume 56, page 33174 (July 18, 1991). The guidelines and actions are available at the office of the board and at the Minnesota Law Library.

Subp. 18. **Organism.** "Organism" means any animal, plant, bacterium, cyanobacterium, fungus, protist, or virus.

Subp. 19. **Release.** "Release" means the placement or use of a genetically engineered organism outside a containment facility or under any other conditions not specifically determined by the board to be adequate containment pursuant to part 4420.0070, subpart 3.

Subp. 20. **Release permit.** "Release permit" means the terms, conditions, and authorization by the board under this chapter for the release of a genetically engineered organism.

Subp. 21. **Significant environmental permit.** "Significant environmental permit" means a permit issued by a state agency with the authority to deny, modify, revoke, or place conditions on the permit in compliance with Minnesota Statutes, sections 116C.91 to 116C.96, chapter 116D, and the rules adopted under them.

Statutory Authority: *MS s 116C.94*

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