

4420.0025 APPLICATION PROCEDURES AND REQUIREMENTS.

Subpart 1. **Application.** An application for a release permit for the release of genetically engineered organisms must be filed in the form approved by the chair. The application shall contain the information required in part 4420.0045.

Subp. 2. **Application acceptance.** The chair shall accept or reject an application within 14 calendar days after receipt of the application. The chair shall reject an application if the application does not contain the information required in part 4420.0045 or if the information is not sufficient to carry out the requirements of this chapter or to prepare an EAW under chapter 4410 and parts 7849.1000 to 7849.2100.

If the chair rejects an application, the chair shall inform the applicant in writing of the deficiencies that, if corrected, will allow the application to be accepted. If the application is revised and resubmitted, the chair shall accept or reject the revised application within 14 calendar days from receipt of the revised application. If there is a second rejection by the chair, the applicant may resubmit a revised application to the chair or appeal to the board for acceptance of the application.

After acceptance of an application, the applicant must, in a timely manner, provide the additional information the chair considers necessary to process the application. If the applicant does not provide the information in a timely manner, the chair may delay the preparation and notice of the draft release permit documents until the information is provided.

Subp. 3. **Notice of application acceptance.** Within 15 days of the application acceptance, the applicant must publish notice of application acceptance and availability in a newspaper of general circulation in the area where the release is proposed and mail notice to persons registered under part 4420.0060, subpart 1, and governmental units with approval authority over the release. The chair must publish the notice of application acceptance and availability in the EQB Monitor.

The notice must include:

- A. identification of the applicant;
- B. the date of acceptance;
- C. a brief description of the proposed release including, but not limited to, size, type, and location;
- D. availability of the application;
- E. telephone number and address of the office of the chair; and
- F. information on how a person can receive the trade secret deleted version of the application and all notices pertaining to this release.

Subp. 4. **Application distribution.** Within 21 days of the application acceptance, the applicant must provide a copy of the trade secret deleted version of the accepted application to: each member of the EQB, the Environmental Conservation Library, the Legislative Reference Library, the regional development commission and regional development library for the region in which the release is proposed, and local governmental units within whose boundaries the release is proposed, and any other person upon written request. If a board member requests and receives a copy of an application that contains information that has been determined to be trade secret information pursuant to Minnesota Statutes, chapter 13, that board member must treat that information as nonpublic data pursuant to Minnesota Statutes, chapter 13. Copies of the complete application shall be made available to board members upon request. The applicant must provide additional copies of either version of the accepted application to the chair upon request.

Statutory Authority: *MS s 116C.94*

History: *17 SR 139*

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