

4690.8200 VARIANCES.

Subpart 1. **Application.** The board shall grant a variance from parts 4690.0100 to 4690.8300 except part 4690.8300, subpart 9, if the applicant proposes alternative practices equivalent or superior to those prescribed in the rule in question and shows that:

- A. applying the rule would impose an undue burden on the applicant; and
- B. granting the variance will not adversely affect the public health or welfare.

Subp. 2. **Renewal, revocation, and reporting.** The board shall renew a variance upon reapplication in conformance with subpart 1. The board shall revoke a variance if:

- A. a material change occurs in the circumstances which justified granting the variance; or
- B. the applicant fails to comply with the alternative practice specified in its successful application for a variance.

An applicant that has been granted a variance must notify the board of any material change in circumstances.

Subp. 3. **Limitation.** No variance may be granted for a period longer than the current license period.

Statutory Authority: *MS s 144.804; 144E.16*

History: *L 1996 c 324 s 6; 22 SR 1877*

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