

4720.5360 DEPARTMENTAL REVIEW; REMAINING PORTION OF PLAN.

Subpart 1. **Submittal to department.** After conducting a public hearing, a public water supplier must submit to the department six copies of:

- A. the remaining portion of the wellhead protection plan, including the data elements to be submitted to the department as specified in part 4720.5340, subpart 2;
- B. written comments received on the entire plan; and
- C. a summary of changes made to the entire plan as a result of the local review process.

Subp. 2. **Department consultation.** On receipt of the items specified in subpart 1, the department shall transmit a copy of the items, along with a map of the wellhead protection area, a map of the drinking water supply management area, and the vulnerability assessment of the drinking water supply management area to:

- A. the Minnesota Department of Agriculture;
- B. the Minnesota Department of Natural Resources;
- C. the Minnesota Pollution Control Agency;
- D. the Board of Water and Soil Resources; and
- E. any other state or federal agency the department determines could assist the department with the review of the plan.

Subp. 3. **Comment review.** The department shall:

- A. evaluate a wellhead protection plan based on written comments from an entity specified in subpart 2 received no later than 60 days after the plan is transmitted to the entity; and
- B. consider comments from an entity specified in subpart 2 that identifies any part of the remaining portion of a wellhead protection plan that is:
 - (1) contrary to a state or federal law or rule administered by the entity; or
 - (2) contradictory to the review criteria specified in part 4720.5555.

Subp. 4. **Review; notice; resubmittal.** No later than 90 days after a public water supplier files the remaining portion of a wellhead protection plan, the department shall approve or disapprove the remaining portion of the wellhead protection plan based on the

criteria specified in part 4720.5555, and shall provide the public water supplier notice of approval or disapproval of the wellhead protection plan.

A. If the remaining portion of a wellhead protection plan is disapproved, the department shall, as part of its notice of disapproval, provide the public water supplier with:

(1) a written statement that identifies those portions of the disapproved wellhead protection plan that require revision; and

(2) the reasons for disapproval.

B. A public water supplier must revise a disapproved wellhead protection plan and submit the revision to the department within 120 days after receiving notice of disapproval.

C. On receipt of a revised plan, the department shall follow the same review process as for an originally submitted wellhead protection plan.

Statutory Authority: *MS s 103I.101*

History: *22 SR 668*

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