

**6115.0390 TERMINATION OF OPERATIONS AND PERPETUAL MAINTENANCE.**

Subpart 1. **Owner's duty.** Unless the dam is removed, the owner shall perpetually maintain the dam and appurtenances so as to ensure the integrity of the structure.

Subp. 2. **Financial responsibility.** The commissioner may impose such requirements as may be necessary prior to the ultimate termination of the owner's operation to ensure that the owner will be financially responsible for carrying out the activities required for perpetual maintenance, and that adequate funding will exist.

Subp. 3. **Plans for termination.** In respect to dams utilized for waste disposal, the owner shall prepare and submit to the commissioner plans for termination of operations and perpetual maintenance which will address the owner's plans for both an unanticipated or premature termination of operations and for the ultimate intended termination of operations. The plans for termination of operations and perpetual maintenance shall, at a minimum, address the following issues, where applicable:

- A. perpetual maintenance and safety of the dam including adequate monitoring programs;
- B. disposal and treatment of ponded and channeled waters;
- C. monitoring and mitigation of surface water and groundwater pollution;
- D. silt, sedimentation, and erosion control; and
- E. vegetation and landscaping.

**Statutory Authority:** *MS s 105.535*

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