

6132.3100 CORRECTIVE ACTION.

Subpart 1. **Goal.** On the observation of violations of the permit to mine, immediate actions shall be taken to correct the violation.

Subp. 2. **Requirements.** Corrective action requirements include those in items A to D.

A. When the permittee is aware that requirements of parts 6132.2000 to 6132.3200 are not being met, or if facilities constructed are not in compliance with the permit to mine, the permittee shall immediately notify the commissioner.

B. On notification or observation of violations of parts 6132.0100 to 6132.5300 or conditions not meeting the permit to mine, the commissioner shall order the permittee to:

- (1) immediately take corrective action; or
- (2) submit, within two weeks, a corrective action plan for approval before the permittee implements corrective action that includes:
 - (a) cause for failure to comply;
 - (b) methods, sequence, and schedule of corrective action activities that will result in compliance with the permit to mine;
 - (c) corrective action cost estimates under part 6132.1200, subpart 3; and
 - (d) maps and cross sections at an appropriate scale.

C. If there is an immediate threat to human safety or natural resources resulting from the mining operation, the permittee shall take immediate corrective action and report to the commissioner.

D. The commissioner may take one or more of the following actions if the permittee fails to comply with any portion of this part:

- (1) suspend the permit to mine under part 6132.4500;
- (2) assess civil penalties under part 6132.5100;
- (3) revoke the permit to mine under part 6132.4600; or
- (4) modify the permit to mine under part 6132.4300.

Statutory Authority: *MS s 93.44 to 93.51; 103G.222*

History: *17 SR 2207*

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