

7001.0130 CONTESTED CASE HEARING.

Subpart 1. **Required hearing.** Parts 7000.1750 to 7000.2200 apply to permits governed by this chapter. The agency's decisions concerning a contested case on a permit matter shall be made as provided in parts 7000.1750 to 7000.2200.

Subp. 2. **Public informational meeting.** If the agency finds that the holding of a contested case hearing is not justified under subpart 1, the agency shall nevertheless hold a public informational meeting if the agency determines that a public informational meeting would help clarify or resolve issues regarding the terms of the draft permit.

Subp. 3. **Hearing notice and order.** If the agency decides to hold a contested case hearing, the commissioner shall prepare a notice of and order for hearing. The notice of and order for hearing must contain:

A. the information required by part 1400.5600 of the Office of Administrative Hearings;

B. a reference to the public notice of the application and the draft permit, including any identification numbers on the draft permit, and the dates of issuance of the public notice and the draft permit;

C. identification of the existing parties and a concise description of the issues on which the agency has ordered a hearing; and

D. the address of the agency office or offices where interested persons may inspect or obtain copies of the public notice of the application, the draft permit, the fact sheet, and other information relevant to the permit application and the holding of the hearing.

Subp. 4. **Relevant rules.** The notice of hearing, distribution of the notice, and the conduct of the contested case hearing are governed by Minnesota Statutes, sections 14.57 to 14.62; the rules of the Office of Administrative Hearings, parts 1400.5100 to 1400.8500; and, if applicable by part 7001.0670, subparts 2, 3, and 4.

Statutory Authority: *MS s 14.06; 115.03; 116.07*

History: *8 SR 2278; L 1987 c 186 s 15; 13 SR 2453; 19 SR 1310*

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