

7001.3410 EXTENDED PERMIT NOTIFICATION AND TERMINATION PROCEDURES.

Subpart 1. **Notification contents.** Owners or operators of transfer facilities or source-separated organic material compost facilities operating under an extended permit shall submit to the agency, upon the anniversary of the expiration date of the permit, and every five years thereafter, a notification containing the following information:

A. the facility name, address, mailing address, and facility contact name and telephone number;

B. the permit number;

C. any minor modifications that have been made at the facility since permit issuance or the date of last notification;

D. a summary of annual updates, if any, to the industrial solid waste management plan required by part 7035.2535, subpart 5; the contingency action plan required by part 7035.2615; the emergency response plan required by part 7035.2595, subpart 5; the operations and maintenance plan required by part 7001.3300, item P; the inspection schedule required by part 7035.2535, subpart 4; the storm water pollution prevention plan if required under parts 7001.1000 to 7001.1100; and the closure plan as provided under part 7035.2625; and

E. signatures and certifications in accordance with parts 7001.0060, 7001.0070, and 7001.3150.

Subp. 2. **Updates in the annual report.** For any minor modifications and for any changes to the plans and schedules listed under subpart 1, item D, the owner or operator shall include a description of any changes in the annual report submitted under part 7035.2585, item L. These changes are considered approved upon receipt by the agency, but the owner or operator must amend the plans or schedules if, at any time, the agency notifies the owner or operator that the plans or schedules are deficient.

Subp. 3. **Termination of extended permit operation as allowed under part 7001.3075.** The agency shall notify the owner or operator of a transfer facility or a source-separated organic material compost facility operating under an extended permit that the transfer facility or source-separated organic material compost facility is no longer eligible to operate under an extended permit and must be repermited under chapter 7001 under any of the following conditions:

A. the transfer facility or source-separated organic material compost facility has unresolved noncompliance or has not been operated substantially in accordance with applicable standards;

B. the owner or operator has made changes to the facility that require a major modification as described in part 7001.3075, subpart 3, without filing a permit application;

C. the owner or operator has failed to update required plans or schedules or has submitted reports that contain material deficiencies and has not corrected those deficiencies; or

D. the owner or operator has failed to submit the notification or the annual report required under part 7035.2585.

In the termination notice, the agency shall state the reasons why the agency proposes to require repermitting of the facility and shall provide the owner or operator with 30 days to respond to the notice. Following receipt of the response, if any, the agency shall make a final determination and shall notify the owner and operator of that decision. Upon receipt of this final determination, the owner or operator may elect to seek to continue the operation of the transfer facility or source-separated organic material compost facility by submitting a permit application, or may close the facility. If the owner or operator elects to continue the operation, the owner or operator shall submit a permit application within 30 days of receipt of the final determination. The commissioner shall process the application following the procedures in chapter 7001. If the owner or operator elects to close the facility, the owner or operator must notify the agency and initiate closure procedures within 30 days of receipt of the final determination.

Statutory Authority: *MS s 116.07*

History: *30 SR 529; 39 SR 857*

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