

**7037.1100 APPROVAL PROCEDURES FOR LAND TREATMENT SITES.**

Subpart 1. **Application for approval of a land treatment site.** An applicant who seeks approval of a land treatment site must furnish the information specified in part 7037.1200 on a form prescribed by the commissioner. The application must be signed by the owner and operator of the proposed land treatment site.

Subp. 2. **Incomplete applications.** The commissioner shall review all applications for completeness. If the application is incomplete, the commissioner shall promptly inform the applicant of the deficiency or deficiencies. The commissioner shall suspend further processing of the application until the applicant has provided the required information.

Subp. 3. **Approval.** The commissioner shall issue letters of approval for sites that are found to meet the criteria established in parts 7037.0900 and 7037.1000. A letter of approval constitutes a finding by the commissioner that the site can be operated in compliance with this chapter. Approval by the commissioner does not release the applicant from any duty to comply with applicable federal, state, or local government statutes, rules, or ordinances, including the requirements established in this chapter.

Subp. 4. **Denial of approval.** The commissioner shall deny letters of approval for sites that do not meet the criteria established in parts 7037.0900 and 7037.1000. If the commissioner denies a letter of approval but finds that the site could be operated in compliance with chapters 7035, 7050, and 7060 if enforceable conditions were established in a permit, the commissioner shall inform the applicant that the applicant may apply for a solid waste management permit under parts 7001.0010 to 7001.0210 and chapter 7035. If the commissioner finds that no conditions could be established that would enable the site to operate in compliance with chapters 7035, 7050, and 7060, the commissioner shall notify the applicant of the commissioner's intent to deny the application and afford the applicant the opportunity to request a contested case hearing as provided in part 7000.1800.

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

**History:** *17 SR 2914; 19 SR 1310*

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