

**7037.1300 APPROVAL PROCEDURES FOR LAND TREATMENT OF BATCHES OF PETROLEUM CONTAMINATED SOIL AT APPROVED LAND TREATMENT SITES AND FACILITIES.**

Subpart 1. **In general.** Subparts 2 to 4 address the process for obtaining a letter of approval to land treat a batch of petroleum contaminated soil at approved land treatment sites and permitted land treatment facilities. An applicant who seeks approval to land treat a batch of petroleum contaminated soil at an approved land treatment site or a permitted land treatment facility shall furnish the information specified in part 7037.1400 on a form prescribed by the commissioner. The application must be signed by the generator and the owner and operator of the approved land treatment site or facility where the petroleum contaminated soil is proposed to be land treated. No person shall land treat petroleum contaminated soil without obtaining the letter of approval required by this part.

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 treatment of batches of petroleum contaminated soil. A letter of approval for land treatment of a batch of petroleum contaminated soil at a land treatment site constitutes a finding by the commissioner that the batch can be treated in compliance with this chapter at the proposed site. A letter of approval for land treatment of a batch of petroleum contaminated soil at a land treatment facility constitutes a finding by the commissioner that the batch can be treated in compliance with the solid waste management facility permit for the facility. 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 under this chapter or a solid waste management permit issued under chapter 7035.

Subp. 4. **Denial of approval.** The commissioner shall deny approval of an application for a letter of approval if acceptance of the batch of petroleum contaminated soil would cause a land treatment site to operate in violation of the limitations established in part 7037.1000 or other operating requirement established in parts 7037.1500 to 7037.2700, or cause a land treatment facility to violate a condition established in its solid waste management facility permit. 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*

**Published Electronically:** *November 3, 1998*