

**7044.0600 ANNUAL UPDATE OF THE PERMANENT LIST OF PRIORITIES.**

The Pollution Control Agency shall update the permanent list of priorities at least annually. In preparation for updating the permanent list of priorities, the commissioner of agriculture shall submit agricultural chemical sites to the commissioner of the Pollution Control Agency for proposed inclusion on, or deletion from, the permanent list of priorities. The commissioner of the Pollution Control Agency shall submit the sites proposed for addition or deletion by the commissioner of agriculture together with sites proposed for addition or deletion by the Pollution Control Agency to the Pollution Control Agency for inclusion in the proposed update of the permanent list of priorities to be published in the State Register.

Notice of any update of the permanent list of priorities together with the list of sites proposed to be added to or deleted from the list must be published in the State Register to allow a 30-day public comment period prior to action by the Pollution Control Agency or by the commissioner of agriculture. The Pollution Control Agency shall review and respond to public comments regarding sites proposed for listing on, or deletion from, the permanent list of priorities by the Pollution Control Agency. The commissioner of agriculture shall review and respond to public comments regarding sites proposed for listing on, or deletion from, the permanent list of priorities by the commissioner of agriculture.

A site may be rescored based on information obtained during the 30-day comment period or based on information from a completed RI/FS if the commissioner determines that new or additional facts warrant rescoring. A site may not be rescored based on remedial, removal, or response actions conducted following the commencement of site investigation and scoring activities by the Pollution Control Agency or the commissioner of agriculture.

Within 15 days after the comment period has closed, the commissioner of agriculture shall notify any person who has commented on an agricultural chemical site proposed to be added to, or deleted from, the permanent list of priorities that a public meeting will be held at the request of any person making a comment. After considering all comments, including those expressed at the public meeting, the commissioner of agriculture shall create a list of agricultural chemical sites for inclusion on, or deletion from, the permanent list of priorities. The commissioner shall forward this list of sites to the Pollution Control Agency for inclusion on, or deletion from, the permanent list of priorities.

**Statutory Authority:** *MS s 14.06; 115B.17*

**History:** *9 SR 58; L 1987 c 186 s 15; 17 SR 2328*

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