

7855.0030 SCOPE OF RULES.

Subpart 1. **Facilities subject to rules.** Each person applying for a certificate of need to construct one of the following types of large energy facilities pursuant to this chapter shall provide all information required by this chapter:

- A. a new fuel conversion facility;
- B. expansion of an existing fuel conversion facility by at least 25 tons per hour of input material over the base capacity of the facility;
- C. a new coal slurry or coal liquids pipeline;
- D. expansion of an existing coal slurry pipeline by at least 1,000 tons of coal or coal derivatives per day over the base capacity of the facility;
- E. expansion of an existing coal liquids pipeline by at least 15,000 barrels per day over the base capacity of the facility;
- F. a new nuclear fuel processing facility;
- G. expansion of an existing nuclear fuel processing facility by at least 20 percent of the base capacity of the facility;
- H. a new nuclear waste storage or disposal facility; and
- I. expansion of an existing nuclear waste storage or disposal facility by at least 20 percent of the base capacity of the facility.

Subp. 2. **Exceptions.** The following types of facilities shall not be subject to this chapter:

- A. any large energy facility on which construction has begun or has been completed by November 14, 1978;
- B. any nuclear waste storage or disposal facility to be constructed in conjunction with a large generating facility that itself requires a certificate of need, unless the total capacity of that storage facility is not covered by the certificate of need issued for the large electric generating facility and associated facilities; and
- C. any facility covered by Minnesota Statutes 1977 Supplement, sections 116C.71 to 116C.74, unless expressly authorized by the legislature.

Statutory Authority: *MS s 216B.08; 216B.2421; 216B.243; 216C.10*

History: *L 1983 c 289 s 115*

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