

9205.0530 APPLICATION.

Subpart 1. **Applicants.** To obtain clearance, a person must complete, sign, and submit an application to the board. The application for clearance for a facility which will be owned by one person and operated by another must be signed by both the owner and the operator.

Subp. 2. **General contents.** An application must be in the form specified by the board and must contain the following information:

A. the complete name of the applicant, all other names under which the applicant has done business during the ten years prior to the application, and the approximate times during which those names were used;

B. the principal business address of the applicant, all other addresses from which the applicant has done business during the ten years prior to the application, and the approximate times during which those addresses were used;

C. the form of the applicant's business indicating the type of business association;

D. a general description of the types and amounts of hazardous waste the facility would be capable of handling and a general description of the proposed operation including methods of accepting, storing, and processing hazardous waste;

E. the names and addresses of all officers, partners, or directors of the applicant; and

F. the following information concerning any notices, stipulation agreements, administrative orders, license revocations, or permit revocations issued by any state or federal authority citing a violation of any administrative rule, regulation, or statute relating to hazardous waste management against the applicant or against any officer, director, or partner of the applicant within the last ten years, and any judgment or conviction under any state or federal rule, regulation, or statute or local ordinance concerning hazardous waste management entered against the applicant or against any officer, director, or partner of the applicant which has been issued within the last ten years:

(1) the name and address of the individual or company involved;

(2) the date and nature of the incident;

(3) the agency or individual taking the action; and

(4) the response made by the individual or company to correct or contest the violation.

Subp. 3. **Technical information.** An application must contain the following information:

A. the duties and responsibilities of subcontractors and the anticipated operating staff, including job descriptions and qualifications of technical management, supervisory,

and operating employees, and an organizational chart of the applicant for operation of the proposed facility; and

B. a disclosure of hazardous waste management related business activities which the applicant, its parent corporation, any subsidiary of the applicant, or any other subsidiary of the parent corporation of the applicant is or has been engaged in during the ten years prior to the date of the application, including:

(1) the approximate times during which the activity has been engaged in;
and

(2) if the activity involves operation and maintenance of a waste management facility:

(a) the location of each facility and a description of the type of facility;
(b) the processes used;
(c) the facility capacity and approximate amount of waste handled
annually;

(d) the date the operation began and the date it closed if the facility is
no longer operating;

(e) any licenses or permits issued for the facility; and

(f) the reasons for discontinuing the activity if it has been discontinued.

Subp. 4. **Development plan and financial information.** An application must contain the following information:

A. a statement of the anticipated development plan for the proposed facility including the following:

- (1) facility design;
- (2) environmental reports;
- (3) hearings on permit application;
- (4) community relations activities;
- (5) marketing;
- (6) preparation of permit application;
- (7) site acquisition and preparation;
- (8) construction;
- (9) equipment and materials acquisitions;
- (10) operator recruitment and training;

(11) first year operation;

(12) monitoring;

(13) insurance; and

(14) contingencies;

B. a statement of the total anticipated expenditures for the project and an indication of how those expenditures will be financed;

C. for each of the items in the development plan, when applicable, whether the activity will be carried out by personnel currently employed by the applicant, by personnel who will be employed by the applicant in the future, or by independent contractors;

D. a description of potential or contingent liabilities which could materially alter the applicant's future financial position; and

E. a disclosure of any petition filed by the applicant or its parent corporation within the last five years under the Federal Bankruptcy Act or any state insolvency law.

Subp. 5. **Additional information.** The chair may require an applicant to submit additional information or may undertake additional investigations if the chair determines that the information would be necessary in deciding whether clearance should be granted.

Subp. 6. **Deficient application.** If an application does not conform to this part, the chair shall, within 30 days after receipt of the application, return it to the applicant with a statement identifying the deficiencies in the application.

Subp. 7. **Acceptance of application.** The chair shall accept a completed application on behalf of the board if it conforms to this rule.

Subp. 8. **Notification of acceptance.** Upon acceptance of a complete application, the chair shall promptly notify each political subdivision which contains an area on the board's inventory of preferred areas for processing facilities. The chair shall also publish notice of the application in a newspaper of statewide distribution. The notice must provide that comments on the application may be submitted to the board within 30 days of the date the application was accepted.

Subp. 9. **Initial consideration.** The board shall initially consider an application not less than 30 nor more than 60 days after its acceptance.

Statutory Authority: *MS s 115A.10*

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