

9220.0140 INADEQUATE RESPONSE TO A REQUEST FOR ABATEMENT ACTION.

Subpart 1. **Inadequate response.** The agency shall determine if a responsible tire collector has failed to make an adequate response to a request for abatement action. The following constitute grounds for the agency to find that a response has been inadequate:

A. the responsible tire collector has not responded to the request for abatement action within the time period specified in the request for abatement action;

B. the responsible tire collector has failed to submit an abatement plan that meets the criteria in part 9220.0130;

C. the responsible tire collector has failed to sign a stipulation agreement incorporating the abatement plan approved by the commissioner; or

D. the responsible tire collector has failed to comply with a term or condition of the stipulation agreement incorporating the abatement plan.

Subp. 2. **Abatement order.** A finding that a responsible tire collector has failed to make an adequate response to a request for abatement constitutes grounds for the agency to issue a tire dump abatement order to the responsible tire collector. If the agency determines that agency abatement is required, the tire dump abatement order shall provide for entering the property where the tire dump is located, taking the waste tires into public custody, and arranging for their processing and removal.

Statutory Authority: *MS s 115A.914*

History: *11 SR 1113; 12 SR 2426; L 1999 c 73 s 5*

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