

**9220.0490 CLOSURE.**

Subpart 1. **Closure required.** The owner or operator of a waste tire facility shall cease to accept waste tires and immediately close the facility in compliance with any special closure conditions established in the permit, this part, and part 9220.0500, if:

- A. the owner or operator declares the facility closed;
- B. the owner or operator fails to maintain adequate financial assurance;
- C. the agency permit for a facility expires and renewal of the permit is not applied for, or is applied for and denied;
- D. the agency permit for the facility is revoked;
- E. an agency order to cease operations is issued;
- F. an agency stipulation agreement specifies closure is to begin; or
- G. the owner or operator of a permitted facility has failed to receive and ship waste tires for a continuous six month period.

Subp. 2. **Submittal of closure plan.** The owner or operator of a waste tire facility shall submit to the commissioner a closure plan with the permit application, or as required by an order or stipulation agreement. The commissioner shall approve the closure plan as part of the permit issuance procedure or as part of a submittal required by a stipulation agreement or order. Compliance with the approved closure plan must be made a condition of any permit, order, or stipulation agreement. No closure plan shall be approved unless the closure plan is consistent with this part and the applicable closure requirements of part 9220.0500.

Subp. 3. **Contents of closure plan.** The closure plan must include:

- A. a description of the facility's operation, including the maximum inventory of waste tires and tire-derived products that will be collected at the facility at any time during the operating life of the facility;
- B. when or under what circumstances the facility will close;
- C. how all waste tires and tire-derived products will be removed from the facility upon closure, and what end use is planned for the waste tires and tire-derived products; and
- D. a schedule for the applicable closure procedures of part 9220.0500, including the time period for completing the closure procedures.

Subp. 4. **Amendment of the plan.** The permittee may amend the closure plan at any time during the life of the facility. Any amendments to the closure plan must be submitted to and approved by the commissioner before they become effective. The permittee shall amend the closure plan and submit the amended plan to the commissioner for approval

whenever changes in the operating plan or facility design affect the closure procedures required, or whenever the expected year of closure changes.

**Statutory Authority:** *MS s 115A.914*

**History:** *12 SR 2513; L 1999 c 73 s 5*

**Published Electronically:** *October 2, 2007*