

1 Department of Commerce

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3 Adopted Permanent Rules Relating to Petroleum Tank Release

4 Compensation Board

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6 Rules as Adopted

7 2890.0010 DEFINITIONS.

8 Subpart 1. to 5. [Unchanged.]

9 Subp. 6. **Responsible person.** "Responsible person" means a  
10 person who is an owner or operator of a tank at any time during  
11 or after the release, except as provided in Minnesota Statutes,  
12 section 115C.021, subdivision 2.

13 2890.0060 REIMBURSEMENT OF COSTS.

14 Subpart 1. **Generally.** Each responsible person who has  
15 taken corrective action and incurred costs after June 4, 1987,  
16 in response to a release may apply to the board for partial  
17 reimbursement of eligible costs.

18 Subp. 2. and 3. [Unchanged.]

19 Subp. 4. **Eligibility of other persons.** Notwithstanding  
20 Minnesota Statutes, section 115.09, subdivisions 1 to 3, the  
21 board shall provide full reimbursement to a person who has taken  
22 corrective action if the board determines that:

23 A. the person took the corrective action in response  
24 to a request or order of the commissioner made under Minnesota  
25 Statutes, chapter 115C;

26 B. the commissioner has determined that the person  
27 was not a responsible person under Minnesota Statutes, section  
28 115C.02; and

29 C. the costs for which reimbursement is requested  
30 were actually incurred and were reasonable.

31 2890.0130 ACTION ON NOTICE OF LIEN FILING.

32 In accordance with Minnesota Statutes, section 514.673, the  
33 commissioner shall send written notice of intent to file an  
34 environmental lien notice to each board member. If a regular

1 meeting of the board is to be held within 30 days of receipt of  
2 the commissioner's notice, the approval of the lien filing must  
3 be considered at the next regular meeting. If no regular  
4 meeting is scheduled within the 30-day period, a special meeting  
5 to consider approval of the lien filing shall be scheduled at  
6 the request of at least one board member. If the board takes no  
7 action on the matter within the 30-day period, the commissioner  
8 may file the lien notice.