

**1510.0402 APPROVAL OF FACILITY AND EQUIPMENT.**

Subpart 1. **Commissioner approval.** A person beginning construction of a new facility or substantially altering an existing facility shall first obtain the approval of the commissioner.

Subp. 2. **Forms.** The application for approval must be made on forms provided by the commissioner and must contain the following information:

- A. the name, address, and phone number of the firm making the application;
- B. the name, address, and phone number of the firm that will operate the facility;
- C. the name, address, and phone number of the firm that will construct, install, or modify the site;
- D. a statement as to whether the facility is new or existing and whether the alterations will be substantial;
- E. the location of the site, including its legal description;
- F. copies of any permits required for the construction, installation, or modification of the facility;
- G. the size of the lot owned or leased;
- H. the number and capacity of storage containers;
- I. a description of the type of storage containers;
- J. a description of the type of safeguards, if any;
- K. at least three scale drawings of the facility, including other storage containers and buildings;
- L. a description of the contingency plan filed with local fire and law enforcement personnel for emergency situations; and
- M. any other information required by the commissioner reasonably related to the construction, installation, or modification of a dry commercial fertilizer facility in order to prevent hazards to people's lives, adjoining property, and the environment.

Subp. 3. **Criteria.** The commissioner shall approve the application when inspection of the facility and review of the application demonstrate that the proposed facility satisfies the requirements of parts 1510.0400 to 1510.0408 and provides safeguards to prevent hazards to people's lives, adjoining property, and the environment.

Subp. 4. **Review of approved facilities.** The commissioner shall review approved facilities if the commissioner has reason to believe that existing safeguards are not sufficient to prevent hazards to people's lives, adjoining property, or the environment. Upon determination by the commissioner that hazards to people's lives, adjoining property,

or the environment do exist, the commissioner shall proceed in accordance with Minnesota Statutes, chapter 18D.

**Statutory Authority:** *MS s 17.725; 18C.121*

**History:** *29 SR 655*

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