

6115.0500 PERMIT AND HEARING PROCEDURES.

Parts 6115.0300 to 6115.0520 are subject to the permit and public hearing provisions of Minnesota Statutes, sections 103G.251, 103G.295, 103G.297, and 103G.301 to 103G.315, including:

A. The commissioner must act on permit applications within 30 days of the time that all required data and fees are filed in the commissioner's office.

B. The commissioner may cancel or modify a permit at any time if the commissioner deems it necessary for any cause for the protection of the public interests.

C. Whether or not a dam is under permit, on determining that it is unsafe or needs repair or alteration, the commissioner shall notify the owner to repair, alter, or remove the dam as the exigencies of the case may require.

D. An order requiring immediate action is effective on the date thereof, but shall not be in effect for more than 30 days from that date unless the permittee is on the same date mailed written notice of the order which includes notice of a Minnesota Statutes, section 103G.311, public hearing on a date not more than 30 days from the date of the notice.

E. If at any time during construction of a project, the commissioner finds that the work is not being done in conformance with approved designs, plans, and specifications, except as provided in part 6115.0410, subpart 9, item A, subitem (2), the commissioner shall notify the permittee and shall order immediate compliance and may order that no further work be done until such compliance has been effected and approved.

F. If the permittee fails to comply with approved designs, plans, and specifications or if conditions are revealed which will not permit the construction of a safe dam, the permit may be revoked.

G. Initiating any work by the permittee, authorized in an issued permit or approval, constitutes acceptance of all terms and conditions contained therein.

Statutory Authority: *MS s 103G.515; 103G.531; 105.535*

History: *17 SR 1279*

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