

**6131.0290 VARIANCE STANDARDS.**

Subpart 1. **Granting of variance.** The commissioner shall grant a variance from the requirements of parts 6131.0010 to 6131.0340 upon application by a permit applicant or permittee, if it is determined that:

A. a variance is consistent with the general welfare and general purposes of parts 6131.0010 to 6131.0340;

B. by reason of exceptional circumstances, the strict enforcement of the reclamation requirements would cause undue hardship or strict conformity with the requirements of parts 6131.0010 to 6131.0340 would be unreasonable or not feasible; and

C. acceptable alternative means of accomplishing the goals, pursuant to parts 6131.0100 to 6131.0130, have been provided by the permit applicant or permittee.

Subp. 2. **Conditional granting.** The commissioner shall grant a variance upon such conditions as shall be necessary for the prevention, control, or correction of adverse environmental effects, consistent with the requirements of parts 6131.0010 to 6131.0340 and Minnesota Statutes.

**Statutory Authority:** *MS s 93.461*

**History:** *10 SR 277*

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