

7001.0210 GENERAL PERMITS.

Subpart 1. **Scope.** This part applies to the permits listed in part 7001.0020, except for agency permits required for the treatment, storage, and disposal of hazardous waste.

Subp. 2. **Determination by agency.** If the agency finds that it is appropriate to issue a single permit to a category of permittees whose operations, emissions, activities, discharges, or facilities are the same or substantially similar, the agency shall proceed under subparts 3 to 6. This permit is known as a general permit.

Subp. 3. **Requirements.** The agency shall not issue a general permit unless the agency finds that:

A. there are several permit applicants or potential permit applicants who have the same or substantially similar operations, emissions, activities, discharges, or facilities;

B. the permit applicants or potential permit applicants discharge, emit, process, handle, or dispose of the same types of waste;

C. the operations, emissions, activities, discharges, or facilities are subject to the same or substantially similar standards, limitations, and operating requirements; and

D. the operations, emissions, activities, discharges, or facilities are subject to the same or substantially similar monitoring requirements.

Subp. 4. **Notice of intent.** The applicant and the agency shall follow the same procedures to issue a general permit as are required for the issuance of an individual permit. However, to comply with part 7001.0100, subpart 5, item C, the agency shall publish notice of intent to issue a general permit in the State Register.

Subp. 5. **Geographical area.** A general permit issued by the agency must state specifically the geographical area covered by the permit.

Subp. 6. **Issuance of individual permit.** If a permit applicant who is eligible to be covered by a general permit requests an individual permit, the agency shall process the application as an application for an individual permit. If the agency finds that the operations, emissions, activities, discharges, or facilities of a permit applicant or a permittee covered by a general permit would be more appropriately controlled by an individual permit, the agency shall issue an individual permit to the applicant or the permittee. Upon issuance of the individual permit, a general permit previously applicable to the permittee no longer applies to that permittee. In considering whether it is appropriate to issue an individual permit, the agency shall consider:

A. whether the operations, emissions, activities, discharges, or facilities of the permit applicant or permittee have characteristics creating the potential for significant environmental effects;

B. whether the permittee has been in compliance with the terms of the general permit and applicable statutes and rules; and

C. whether the operations, emissions, activities, discharges, or facilities have been altered such that they no longer fit within the category covered by the general permit.

Statutory Authority: *MS s 115.03; 116.07*

History: *8 SR 2278; 38 SR 1535*

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