

7001.1100 FINAL DETERMINATION.

Subpart 1. **Issuance of permit.** Except as provided in subparts 2 to 4, the agency shall issue a national pollutant discharge elimination system permit in accordance with part 7001.0140.

Subp. 2. **Certification.** If the applicant is required to obtain a certification under section 401 of the Clean Water Act, United States Code, title 33, section 1341 as amended, no permit may be issued by the agency unless the agency finds that the certification has been obtained by the applicant.

Subp. 3. **Violation of adjoining state's water quality standard.** The agency shall not issue a permit if it finds that the applicant's discharge will result in the violation of water quality standards adopted by a state that adjoins the receiving water of the applicant's discharge.

Subp. 4. **Warfare agents.** The agency shall not issue a permit if it finds that the issuance will result in the discharge of a radiological, chemical, or biological warfare agent.

Statutory Authority: *MS s 115.03*

History: *8 SR 2277*

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