

7001.3075 SOLID WASTE MANAGEMENT FACILITY PERMIT APPLICATION.

Subpart 1. **Application submittals.** The application for a solid waste management facility permit must contain a final application with the appropriate supporting documents, and for mixed municipal solid waste and municipal solid waste combustor ash land disposal facilities, a preliminary application and detailed site evaluation report. The information requirements for the preliminary application are established in part 7001.3175 and for the detailed site evaluation in part 7001.3275. The information requirements for the final application are set forth in part 7001.3300. The applicant must also submit any information required in parts 7001.3375 to 7001.3475 with the final application.

Subp. 2. **Timing of application.** Applicants shall submit permit applications for existing and new solid waste management facilities or for reissuance of existing permits in accordance with part 7001.0040, except as provided in items A and B.

A. The applicant for a permit to construct a new mixed municipal solid waste or municipal solid waste combustor ash land disposal facility must submit a preliminary application at least 90 days before the work begins on the detailed site evaluation required by part 7001.3275.

B. Part 7001.0040, subpart 3, controls the submission of an application for the reissuance of existing permits except as provided in this part. When the commissioner receives a written request that shows good cause for an extension of time to submit the application for reissuance of an existing permit, the commissioner shall grant the extension if the requested date for filing does not extend beyond the expiration date of the permit. The application must contain the information required for a final application in part 7001.3300.

Subp. 3. **Transfer facilities extended permit term.**

A. For transfer facilities that have operated under an existing permit issued under parts 7001.0010 to 7001.0200, no application is required for permit reissuance upon the expiration date of the permit and the term of the permit shall be extended indefinitely unless (1) the commissioner requires the facility to be repermitted as provided in part 7001.3410, subpart 3, or (2) the owner or operator of the facility plans to make a major modification to the facility. In either of these cases, the owner and operator shall submit an application for reissuance or modification of the permit as provided in this chapter. This application shall be approved or denied following the procedures in this chapter. As used in this part, "operated" means to have accepted waste at levels constituting normal expected volumes for facilities for a minimum of one year during the most recent five-year term of the permit, such that the agency can reasonably conclude that the facility is operating in compliance with applicable rules and its permit. For purposes of this part, a "major modification" means a change in the type of waste managed at the facility, an increase beyond the original permitted capacity, or a change that could significantly affect compliance with the design or operation standards of part 7035.2870, subparts 4 and 5. The owner or operator may request, in writing, that

the agency make a written determination as to whether any planned changes significantly affect compliance with design or operation standards.

B. Owners and operators of transfer facilities operating under an extended permit may make minor modifications as listed in part 7001.3550, subpart 3, at any time, provided that notice of the minor modification is given to the agency as provided in part 7001.3410, subparts 1 and 2. Owners of facilities operating under an extended permit must follow the requirements in part 7001.0190, subpart 2, before transferring ownership and control of the facility. Transfer facilities operating under an extended permit, as provided in this subpart, must submit to the agency the notification required by part 7001.3410, and the annual report required under part 7035.2585.

Subp. 4. Source-separated organic material compost facilities extended permit term.

A. For source-separated organic material compost facilities as defined in part 7035.2836 that have operated under an existing permit issued under parts 7001.0010 to 7001.0200, no application is required for permit reissuance upon the expiration date of the permit and the term of the permit shall be extended indefinitely unless (1) the commissioner requires the facility to be repermited as provided in part 7001.3410, subpart 3, or (2) the owner or operator of the facility proposes a major modification to the facility. In either of these cases, the owner and operator shall submit an application for reissuance or modification of the permit as provided in this chapter. The commissioner shall process the application following the procedures in this chapter. For purposes of this part, "operated" means to have accepted source-separated organic material as defined in part 7035.0300, subpart 105a, for composting at levels constituting normal expected volumes for facilities for a minimum of one year during the most recent five-year term of the permit, such that the agency can reasonably conclude that the facility is operating in compliance with applicable rules and its permit. For purposes of this part, a "major modification" means a change in the type of materials managed at the facility, an increase beyond the original permitted capacity, or a change that could significantly affect compliance with the design or operation standards of part 7035.2836, subparts 8 and 9.

B. Owners and operators of source-separated organic material compost facilities operating under an extended permit may make minor modifications as listed in part 7001.3550, subpart 3, at any time, provided that notice of the minor modification is given to the agency as provided in part 7001.3410, subparts 1 and 2. Owners of facilities operating under an extended permit must comply with the requirements in part 7001.0190, subpart 2, before transferring ownership and control of the facility. Owners or operators of source-separated organic material compost facilities operating under an extended permit, as provided in this subpart, must submit to the agency the notification required by part 7001.3410, and the annual report required under part 7035.2585.

Statutory Authority: *MS s 115.03; 115A.97; 116.07*

History: *13 SR 1150; 16 SR 2321; 30 SR 529; 39 SR 857*

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