

7049.0220 SIGNATORY REQUIREMENTS FOR INDUSTRIAL USER REPORTS.

A. All required reports must be signed by:

- (1) a responsible corporate officer, if the industrial user is a corporation;
- (2) a general managing partner, if the industrial user is a partnership; or
- (3) the proprietor, if the industrial user is a sole proprietorship.

B. Reports may be signed by a duly authorized representative of an individual designated in item A if the conditions in item D are satisfied.

C. For the purpose of this part, "responsible corporate officer" means:

(1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation; or

(2) the manager of one or more manufacturing, production, or operating facilities, provided:

(a) the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to ensure long-term compliance with environmental laws and regulations;

(b) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and

(c) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

D. Reports may be signed by a duly authorized representative of an individual designated in item A if the authorization:

(1) is made in writing by the individual described in item A;

(2) specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(3) is submitted in writing to the control authority.

If an authorization under this item is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements

of this item must be submitted to the control authority prior to or together with any reports to be signed by an authorized representative.

Statutory Authority: *MS s 115.03*

History: *33 SR 696*

Published Electronically: *November 6, 2008*