

9200.4600 BOARD MEETING TO ESTABLISH SCOPE AND PROCEDURES FOR THE SECOND PHASE OF THE REVIEW.

Subpart 1. **Scope and statement of issues.** At the meeting held to commence the supplementary review process, the chair shall present the recommended statement of issues involved in the review to the board including the temporary board members. The board, after providing an opportunity for public comment, shall adopt a statement of issues for review.

Subp. 2. **Procedures.** If no mediated agreement has been reached, the board shall direct that a contested review be conducted under part 9200.4800. If a mediated agreement has been reached which may require the imposition of more stringent permit terms, conditions, or requirements, or if significant issues are identified in the statement of issues adopted by the board which were not addressed in the agreement, the board shall direct that a review hearing be conducted under part 9200.4700. If a mediated agreement has been reached which does not require the imposition of more stringent permit terms, conditions, or requirements, and if all significant issues which were identified in the statement of issues are addressed in the agreement, the board shall suspend the review pending final approval of the proposed facility by the political subdivision and shall dismiss the petition and terminate the review upon final approval of the proposed facility by the political subdivision.

Statutory Authority: *MS s 115A.32*

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