

**9220.0340 PUBLIC NOTICE.**

Subpart 1. **Scope.** Before the agency acts to issue, renew, modify, revoke, or deny a permit, the commissioner shall seek public comment on the action, unless specifically exempted from this requirement under part 9220.0410.

Subp. 2. **Public notice contents.** The commissioner shall prepare and issue a public notice of an intended agency action. The public notice must include, at a minimum:

A. the address and telephone number of the agency office and a statement that additional information may be obtained at this office;

B. the names and addresses of all applicants or permittees, and of the facility that is the subject of the action;

C. a concise description of the facility that is the subject of the action;

D. a statement of the action the commissioner intends to request the agency to take;

E. for action involving the issuance or renewal of permits, the duration of the permit that the commissioner intends to request the agency to issue or renew;

F. a brief description of the procedures and standards for public comments, and the dates on which the public comment period begins and ends; and

G. a brief description of the procedures the agency will follow in reaching a decision on the commissioner's intended action, and the procedures to be followed for requesting a public information meeting or contested case hearing.

Subp. 3. **Duration of notice period.** Unless extended by the commissioner, the public notice period is 30 days.

Subp. 4. **Distribution of public notice.** The commissioner shall distribute the public notice in the following manner:

A. A copy of the public notice must be available at the agency office.

B. A copy must be mailed to the applicant.

C. A copy must be mailed to the county where the facility is located or proposed to be located.

D. Copies must be circulated in the geographic area within a 45-mile radius of the planned or existing facility. The commissioner shall circulate the public notice in one or more of the following ways:

(1) by posting the notice in the post office, public library, or other buildings used by the general public;

(2) by posting the notice at or near the entrance of the applicant's premises, if located near the facility that is the subject of the permit application; or

(3) by publishing the notice in one or more newspapers or periodicals of general circulation in the designated geographical area.

**Statutory Authority:** *MS s 115A.914*

**History:** *12 SR 2513; L 1999 c 73 s 5*

**Published Electronically:** *October 2, 2007*