

9220.0410 MODIFICATION OR TRANSFER OF PERMIT.

Subpart 1. **Modification.** The commissioner shall modify a permit if the modification is needed to reflect changed state or federal statutes or rules applicable to the facility, to incorporate changes in a facility closure plan or emergency response manual, or to make other modifications consented to by the permittees. The procedures for giving public notice established in part 9220.0340 do not apply to permits modified by the commissioner under this subpart if the commissioner finds that the modification would not result in a significant change in facility operation. For all other modifications, the commissioner shall follow the public notice procedures of part 9220.0340, and the agency shall determine whether the permit should be modified.

Subp. 2. **Change in facility ownership or operation.** The following conditions apply to the change in facility ownership or operation.

A. Before any change in facility ownership or operation, a written request for transfer of the permit must be submitted to and approved by the agency. The request for transfer must indicate the reason the permit transfer is being requested, must be signed by all existing permittees and all persons seeking to become permittees, and must contain all information required in part 9220.0270, subpart 2.

B. If the commissioner finds that the proposed transfer of the permit would not affect present or future compliance with the permit, the commissioner shall give the public notice of the commissioner's intent to transfer the permit following the procedures in parts 9220.0340 to 9220.0370.

C. The agency shall approve the transfer of the permit if it determines that the new permittee or permittees will comply with all permit conditions and all applicable laws and rules. After approval, permit transfer occurs when the change in facility ownership or operation becomes effective. In the event that the expected change in facility ownership or operation does not occur, the owners and operators remain fully responsible under the terms of the permit.

Statutory Authority: *MS s 115A.914*

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

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