

Opportunities for Public Involvement in MPCA Rules

- | | | | |
|--|--|---|---|
| 1. Notice Published
a. Request for Comments published in <i>State Register</i>
b. Formal comment opportunity for all interested parties | 2. Rule Development
a. Statement of Need and Reasonableness drafting
b. Potential preliminary draft rule shared | 3. Notice Published
a. Notice of Intent to Adopt Rules published in <i>State Register</i>
b. Formal comment opportunity for all interested parties | 4. Hearing/No Hearing
Threshold of 25 or more requests is needed to hold a hearing on a Dual Notice or a Notice of Intent to Adopt Rule Without a Hearing |
|--|--|---|---|

The standard Administrative Procedures Act (APA) rulemaking process used by the Minnesota Pollution Control Agency (MPCA) normally provides at least three opportunities for public involvement:

- When the Request for Comments (RFC) is published in the *State Register*, it communicates general ideas for the rulemaking. This is an opportunity for stakeholders to provide formal comments and input on the rulemaking ideas that may narrow or broaden the scope of the project. Stakeholder data or other relevant information can be submitted at this time. An example of information submitted could be relevant cost information for implementing the general ideas announced in the RFC. The MPCA encourages stakeholder participation at this early stage of the process so that the MPCA can consider relevant information as it determines the shape and scope of its proposed rulemaking.
- During this phase of the rulemaking, the MPCA generally makes a preliminary draft of rule language available and invites informal public comments and specifies conditions and deadlines.
- When the MPCA publishes a Notice of Intent to Adopt Rules, it signals a final opportunity for formal stakeholder input (if no public hearing is held). The Notice will indicate all relevant submittal conditions. At this stage, the MPCA would provide a Statement of Need and Reasonableness (SONAR) and proposed Rules for formal public review/comment.
- The APA may or not require the MPCA to hold a public hearing based on hearing requests or conditional needs. If held, the public hearing provides an additional formal opportunity for stakeholders to testify or submit written testimony in front of an Administrative Law Judge (ALJ) who presides over the hearing. Check with the MPCA contact person to inspect written comments, written requests for a public hearing, and names of parties who requested a public hearing.

On completion of APA notice requirements, the MPCA will publish final adoption of Rules. Unless otherwise specified, most Rules normally become effective five working days after they appear in the *State Register*. Notice, [exempt](#) rulemaking follows a more abbreviated process.

Acronyms:

ALJ—Administrative Law Judge	OAH—Office of Administrative Hearings	SR—Minnesota <i>State Register</i>
GO—Governor’s Office	RFC—Request for Comments	USEPA—United States Environmental Protection Agency
MMB—Minnesota Management and Budget	SONAR—Statement of Need and Reasonableness	
APA—Administrative Procedures Act		

Sign up to receive rule notices through individual rule webpages, or at:

- | | |
|---|---|
| 1. https://public.govdelivery.com/accounts/MNPCA/subscriber/new (List includes rule topics and numerous non-rule topics) | 4. Good Cause Exempt Rulemaking |
| 2. Rulemaking (all rule topic notices) | 5. Air (rule topics only) |
| 3. New Rulemaking Announcements | 6. Water (rule topics only) |
| | 7. Land (rule topics only hazardous waste, solid waste) |

Search Minnesota Rule Status records: <https://www.revisor.mn.gov/rules/status/>

ACTIVE RULES—AIR

<p>Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person</p>	<p>Current status of proposed rule and any agency determinations</p>	<p>Next opportunity for Public Comment Public Hearing schedule, if applicable</p>	<p>Timetable for adoption and other agency determinations</p>	<p>Notices published <i>(State Register citations)</i></p>
<p>Air Toxics Emissions Reporting</p> <p>https://www.pca.state.mn.us/get-engaged/air-toxics-emissions-reporting</p> <p>Minn. R. chs. 7002, 7005, 7007, 7008, 7011, 7017, and 7019</p> <p>Revisor No. R-04599</p> <p>Brief rule summary: Rules related to air toxics emissions reporting requirements for facilities located in the 7-county metro area. Directed by Minnesota Session Law – 2023, Chapter 60, and repeal of the Title V emergency affirmative defense provisions in response to the EPA removing such provisions from 40 CFR 70.6(g).</p> <p>Agency contact person: Addison Otto, 651-757-2754 addison.otto@state.mn.us</p> <p>Technical contact person: Megan Kuhl-Stennes, 651-757-2455 megan.kuhlstennes@state.mn.us</p>	<p>Second RFC closed May 1, 2024.</p> <p>First RFC closed September 22, 2023.</p> <p>All comments submitted in response to both the first and second RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>To be determined.</p>	<p>Publish Notice of Intent to Adopt proposed rules by November 26, 2024.</p>	<p>RFC published in SR on 24 July 2023 (48 SR 88)</p> <p>RFC published in SR on 1 April 2024 (48 SR 40)</p>

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public Comment Public Hearing schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
<p>Air Toxics Regulations</p> <p>https://www.pca.state.mn.us/get-engaged/air-toxics-regulations</p> <p>Minn. R. chs. 7002, 7005, 7007, 7017, 7012, and 7019</p> <p>Revisor No. R-04807</p> <p>Brief rule summary: Rules to regulate facilities that emit air toxics located in the 7-county metro area. Directed by Laws of Minnesota 2023, chapter 60, article 8, section 5. The legislature established definitions for air toxics and environmental justice areas and directed the agency to adopt rules with specified content.</p> <p>Agency contact person: Yolanda Letnes, 651-757-2527 yolanda.letnes@state.mn.us</p> <p>Technical contact person: Cassandra Meyer, 651-757-2619 cassandra.meyer@state.mn.us</p>	<p>RFC closed September 22, 2023</p> <p>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>To be determined.</p>	<p>Publish Notice of Intent to Adopt proposed rules by May 18, 2026.</p>	<p>RFC published in SR on 24 July 2023 (48 SR 93)</p>

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public Comment Public Hearing schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
<p>Odor Management</p> <p>https://www.pca.state.mn.us/get-engaged/odor-management</p> <p>Minn. R. chs. 7002, 7005, 7007, 7008, 7011, 7017, and 7019</p> <p>Revisor No. R-04808</p> <p>Brief rule summary: Rules related to odor management plan requirements for facilities located in the 7-county metro area when the facility emitted an objectionable odor. Directed by Minnesota Session Law – 2023, Chapter 60.</p> <p>Agency contact person: Erica Backstrom, 218-302-6659 erica.backstrom@state.mn.us</p> <p>Technical contact person: Aneka Swanson, 651-757-2175 aneka.swanson@state.mn.us</p>	<p>RFC closed September 8, 2023.</p> <p>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>To be determined.</p>	<p>To be determined.</p>	<p>RFC published in SR on 24 July 2023 (48 SR 90)</p>

ACTIVE RULES—WATER

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public Comment Public Hearing Schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
<p>Water Quality Standards: Use Class 1</p> <p>https://www.pca.state.mn.us/get-engaged/drinking-water-standards</p> <p>Minn. R. chs. 7050, 7052, 7053, and 7060</p> <p>Revisor No. R-04727</p> <p>Brief rule summary: Update numeric and narrative WQS for surface water and groundwater; and clarify where the WQS apply. This rulemaking includes establishing WQS for specific PFAS as directed by Minnesota Session Law – 2023, Chapter 60.</p> <p>Agency contact person: Erica Backstrom, 218-302-6659 erica.backstrom@state.mn.us</p> <p>Technical contact person: Will Bouchard, 651-757-2333 will.bouchard@state.mn.us</p>	<p>Second RFC closed October 30, 2023.</p> <p>First RFC closed February 14, 2022.</p> <p>All comments submitted in response to both the first and second RFC will be considered as the MPCA works on preparing draft rule language.</p> <p>MPCA, Minnesota Department of Health, and Minnesota Department of Natural Resources are reviewing specific items for revision.</p>	<p>To be determined.</p>	<p>To be determined.</p>	<p>RFC published in SR on 13 December 2021 (46 SR 709)</p> <p>RFC published in SR on 28 August 2023 (48 SR 240)</p>
<p>Water Quality Standards: Use Class 2 Ammonia</p> <p>https://www.pca.state.mn.us/get-engaged/ammonia-water-quality-standard</p> <p>Minn. R. chs. 7050 and 7053</p> <p>Revisor No. R-04737</p> <p>Brief rule summary: Revise existing ammonia standard to reflect current science.</p> <p>Agency contact person: Maggie Wenger, 651-757-2007 maggie.wenger@state.mn.us</p> <p>Technical contact persons: Robert Dietz, 651-757-2668 robert.dietz@state.mn.us</p>	<p>RFC closed September 15, 2022.</p> <p>These amendments will no longer include the addition of a nitrate standard.</p>	<p>To be determined.</p>	<p>To be determined.</p>	<p>RFC published in SR on 1 August 2022 (47 SR 66)</p>

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public Comment Public Hearing Schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
<p>Water Quality Fee Rulemaking</p> <p>https://www.pca.state.mn.us/get-engaged/mpca-water-quality-fees</p> <p>Minn. R. ch. 7002</p> <p>Revisor No. R-04476</p> <p>Brief rule summary: Current fees authorized in the rules do not generate sufficient revenue to cover the costs of administering water quality programs associated with the fees. MPCA considering amendments to water quality fee rules that would increase permit application fees, additional fees, and annual fees. Includes fees for municipal and industrial wastewater and stormwater permits, construction stormwater permits, feedlot permits, and variances. For more information, see the rule webpage.</p> <p>Agency contact person: Maggie Wenger, 651-757-2007 maggie.wenger@state.mn.us</p>	<p>RFC closed September 2, 2022.</p>	<p>To be determined.</p>	<p>To be determined.</p>	<p>RFC published in SR on 26 June 2017 (41 SR 1504)</p> <p>Second RFC published in SR on 27 January 2020 (44 SR 847)</p> <p>Third RFC published in SR on 1 August 2022 (47 SR 63)</p>
<p>Lakes Water Quality Standards</p> <p>https://www.pca.state.mn.us/get-engaged/lake-aquatic-life-and-recreation</p> <p>Minn. R. ch. 7050</p> <p>Revisor No. R-04740</p> <p>Brief rule summary: Revise water quality standards for lake aquatic life and recreation, with housekeeping changes to incorporate lake use designation tables by reference and correct errors in existing river eutrophication standards.</p> <p>Agency contact person: Katie Izzo, 651-757-2595 katie.izzo@state.mn.us</p> <p>Technical contact person: Will Bouchard, 651-757-2333 will.bouchard@state.mn.us</p>	<p>RFC closed November 3, 2023.</p> <p>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>To be determined.</p>	<p>To be determined.</p>	<p>RFC published in SR on 18 September 2023 (48 SR 297)</p>

ACTIVE RULES—LAND (HAZARDOUS WASTE, SOLID WASTE)

<p>Subject Matter (<i>Existing webpages are listed</i>) Brief Rule Summary Agency Contact Person</p>	<p>Current status of proposed rule and any agency determinations</p>	<p>Next opportunity for Public Comment Public Hearing Schedule, if applicable</p>	<p>Timetable for adoption and other agency determinations</p>	<p>Notices published <i>(State Register citations)</i></p>
<p>Waste Treated Seeds</p> <p>https://www.pca.state.mn.us/get-engaged/waste-treated-seeds</p> <p>Minn. R. ch. 7035 and 7045</p> <p>Revisor No. R-04806</p> <p>Brief rule summary: Directed by Laws of Minnesota 2023, chapter 60, article 3, section 28. The MPCA is considering rules that provide for the safe and lawful disposal of waste treated seed. The rules will clearly identify the regulatory jurisdiction of state agencies and local governments regarding such seed.</p> <p>Agency contact person: Daniel Gonzalez, 651-757-2267 daniel.gonzalez@state.mn.us</p> <p>Technical contact person: Joshua Burman, 507-344-5243 joshua.burman@state.mn.us</p>	<p>1st RFC closed October 27, 2023.</p> <p>2nd RFC closed January 30, 2024.</p> <p>All comments submitted in response to the RFCs will be considered as the MPCA works on preparing draft rule language.</p>	<p>Publish Dual Notice on December 30, 2024</p>	<p>To be determined.</p>	<p>RFC published in SR on 28 August 2023 (48 SR 243)</p> <p>RFC published in SR on 26 December 2023 (48 SR 603)</p>
<p>Waste Management Capital Assistance Program</p> <p>Webpage pending</p> <p>Minn. R. ch. 9210</p> <p>Revisor No. R-04815</p> <p>Brief rule summary: This rule will amend chapter 9210 to implement legislative changes to the Solid Waste Capital Assistance Program as required by Laws of Minnesota, Chapter 60, article 3, section 9.</p> <p>Agency contact person: Nathan Cooley, 651-757-2290 nathan.cooley@state.mn.us</p> <p>Technical contact person: Jeannie Given, 651-757-2459 jeannie.given@state.mn.us</p>	<p>To be determined.</p>	<p>To be determined.</p>	<p>To be determined.</p>	

Subject Matter (<i>Existing webpages are listed</i>) Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public Comment Public Hearing Schedule, if applicable	Timetable for adoption and other agency determinations	Notices published (<i>State Register citations</i>)
<p>Petroleum Contaminated Soil Management</p> <p>https://www.pca.state.mn.us/get-engaged/treatment-of-petroleum-contaminated-soil</p> <p>Minn. R. ch. 7037</p> <p>Revisor No. R-04079</p> <p>Brief rule summary: MPCA plans to amend its rules from 1993 governing evaluating and land applying petroleum-contaminated soil as a means of treatment.</p> <p>Agency contact person: Nathan Cooley, 651-757-2290 nathan.cooley@state.mn.us</p> <p>Technical contact person: Lee Field, 218-302-6609 lee.field@state.mn.us</p>	<p>RFC and preliminary draft of rules published September 22, 2014.</p>	<p>The MPCA is revising its timeline to consider program needs more fully before publishing proposed rules for public comment, possibly in fall 2024.</p>	<p>To be determined.</p>	<p>RFC published in SR on 22 September 2014 (39 SR 398)</p>
<p>Construction & Demolition Debris Land Disposal Systems (CDLs) Rule Amendments</p> <p>https://www.pca.state.mn.us/get-engaged/construction-and-demolition-debris-landfills</p> <p>Minn. R. chs. 7001 and 7035</p> <p>Revisor No. R-04556</p> <p>Brief rule summary: Amending CDL Rules to stop CDL leachate from contaminating groundwater in response to a MPCA C&D landfill groundwater monitoring report released in October 2019.</p> <p>Agency contact person: Nathan Cooley, 651-757-2290 nathan.cooley@state.mn.us</p> <p>Technical contact persons: Greg Kvaal, 651-757-2511 greg.kvaal@state.mn.us</p> <p>Sherri Nachtigal, 507-206-2600 sherri.nachtigal@state.mn.us</p>	<p>1st RFC comment period closed December 31, 2018, after a 90-day comment period. The Agency published no rule amendments and received no comments at that time.</p> <p>The MPCA held public meetings with interested parties in Crookston, Duluth, Mankato, and St. Paul in November and December 2018 to share updated agency concerns and to gather input and ideas for changes to improve the CDL land disposal system.</p> <p>The MPCA is working with the Office of the Revisor of Statutes to develop draft Rules.</p>	<p>The MPCA created two related advisory panels (Minn. Stat. 14.101) to provide input on improving environmental protections from CDLs.</p> <p>One Advisory Panel focused on ways to reduce waste going to demolition landfills.</p> <p>Separately, the Rulemaking Advisory Panel (RAP) began meeting fall of 2019.</p> <p>The MPCA gathered RAP input on rule concepts to reduce groundwater impacts from leachate leaking through CDLs .</p> <p>The MPCA last met with its RAP in mid-2023 to share major rule concepts.</p>	<p>To be determined.</p> <p>The MPCA is revising the timeline to consider major concepts, goals, deliverables, and dates.</p> <p>The MPCA is currently working on drafting rules and SONAR language to address major rule concepts developed to date. Concepts include covering and lining CDLs to minimize, collect, and treat leachate to protect groundwater. The MPCA is seeking ways to reduce transition burdens as it amends Rules. It is considering costs of required closure and financial assurance.</p>	<p>RFC published in SR on 1 October 2018 (43 SR 417)</p>

ACTIVE RULES—CROSS-MEDIA RULES

<p>Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person</p>	<p>Current status of proposed rule and any agency determinations</p>	<p>Next opportunity for Public comment Public hearing schedule, if applicable</p>	<p>Timetable for adoption and other agency determinations</p>	<p>Notices published <i>(State Register citations)</i></p>
<p>Cumulative Impacts Analysis https://www.pca.state.mn.us/get-engaged/cumulative-impacts Minn. R. ch. 7001 Revisor No. R-04805 Brief rule summary: Directed by Minnesota Session Law – 2023, Chapter 60, the MPCA is beginning rulemaking to implement cumulative impact analysis and permit decisions for facilities that affect areas of concern regarding environmental justice. Agency contact person: Katie Izzo, 651-757-2595 katie.izzo@state.mn.us Technical contact person: Hassan Bouchareb, 651-757-2653 hassan.bouchareb@state.mn.us</p>	<p>RFC closed October 6, 2023. All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>Public community co-learning sessions are ongoing; see webpage for details as they get finalized. New events are scheduled frequently—sign up at https://public.govdelivery.com/accounts/MNPCA/subscriber/qualify?topic_id=MNPCA_523 to be notified when new information becomes available.</p>	<p>By statutory requirement, MPCA must publish Notice of Intent to Adopt by May 26, 2026.</p>	<p>RFC published in SR on 24 July 2023 (48 SR 96)</p>
<p>PFAS in Products Reporting https://www.pca.state.mn.us/get-engaged/pfas-in-products-reporting Minn. R. ch. (new rule chapter number to be determined) Revisor No. R-04828 Brief rule summary: Rules to establish a program for the MPCA to collect information from manufacturers of products sold, offered for sale, or distributed in Minnesota that contain intentionally added PFAS. Directed by Minnesota Session Law – 2023, Chapter 60. Agency contact person: Quinn Carr, 651-757-2722 quinn.carr@state.mn.us Technical contact person: Al Innes, 651-757-2475 alister.innes@state.mn.us</p>	<p>RFC closed November 28, 2023. All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>Next public information session is still being planned; see webpage for details as they get finalized. New events are scheduled frequently—sign up at https://public.govdelivery.com/accounts/MNPCA/subscriber/new?topic_id=MNPCA_521 to be notified when new information becomes available.</p>	<p>Adopt rules by January 1, 2026.</p>	<p>RFC published in SR on 25 September 2023 (48 SR 325)</p>

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public comment Public hearing schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
<p>PFAS in Products Fee</p> <p>https://www.pca.state.mn.us/get-engaged/pfas-in-products-fees</p> <p>Minn. R. ch. (new rule chapter number to be determined)</p> <p>Revisor No. R-04827</p> <p>Brief rule summary: Rules to establish a fee structure to charge manufacturers that report intentionally added PFAS in products sold, offered for sale, or distributed in Minnesota. Fees are to cover the MPCA’s cost to implement the PFAS in products reporting program. Authorized by Minnesota Session Law – 2023, Chapter 60.</p> <p>Agency contact person: Quinn Carr, 651-757-2722 quinn.carr@state.mn.us</p> <p>Technical contact person: Al Innes, 651-757-2475 alister.innes@state.mn.us</p>	<p>RFC closed November 28, 2023.</p> <p>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>Next public information session is still being planned; see webpage for details as they get finalized. New events are scheduled frequently—sign up at https://public.govdelivery.com/accounts/MNPCA/subscriber/new?topic_id=MNPCA_521 to be notified when new information becomes available.</p>	<p>Adopt rules by January 1, 2026.</p>	<p>RFC published in SR on 25 September 2023 (48 SR 328)</p>

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public comment Public hearing schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
<p>PFAS in Products Currently Unavoidable Use</p> <p>https://www.pca.state.mn.us/get-engaged/pfas-in-products-currently-unavoidable-use</p> <p>Minn. R. ch. (new rule chapter number to be determined)</p> <p>Revisor No. R-04837</p> <p>Brief rule summary: Rules to establish a program for the MPCA to determine currently unavoidable uses of intentionally added PFAS in products available in Minnesota. Beginning January 1, 2032, products containing intentionally added PFAS which are sold, offered for sale, or distributed in the state are banned unless the MPCA determines by rule that the use(s) of PFAS they contain are currently unavoidable uses. Authorized by Minnesota Session Law – 2023, chapter 60, article 3, section 21.</p> <p>Agency contact person: Addison Otto, 651-757-2754 addison.otto@state.mn.us</p> <p>Technical contact person: Al Innes, 651-757-2475 alister.innes@state.mn.us</p>	<p>RFC closed March 1, 2024.</p> <p>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language.</p>	<p>Next public information session is still being planned; see webpage for details as they get finalized. New events are scheduled frequently—sign up at https://public.govdelivery.com/accounts/MNPCA/subscriber/new?topic_id=MNPCA_521 to be notified when new information becomes available.</p>	<p>To be determined.</p>	<p>RFC published in SR on 18, December 2023 (48 SR 557)</p>

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public comment Public hearing schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
<p>Land-Related Housekeeping Amendments</p> <p>Medias impacted: Air, Water, and Waste. These rules are considered cross-media because of changes to procedural rules in chapter 7000 that affect all medias.</p> <p>https://www.pca.state.mn.us/get-engaged/land-housekeeping-amendments</p> <p>Minn. R. chs. 7000, 7001, 7035, 7045, 9210, and 9215</p> <p>Revisor No. R-04155</p> <p>Brief rule summary: First RFC topics: Address housekeeping edits (i.e., incorrect cross-references, updates to methods, remove obsolete requirements, etc.); incorporate federal requirements into rule; and incorporate approved variances to mixed municipal solid waste (MMSW) ash testing into the existing rule.</p> <p>Second RFC topics: Incorporate new federal requirements; incorporate new Minnesota household pharmaceutical collection requirements; repeal obsolete rules; and incorporate existing approved variances for MMSW ash testing into the rule with certain exceptions.</p> <p>For more information, see the rule webpage.</p> <p>Agency contact person: Yolanda Letnes, 651-757-2527 yolanda.letnes@state.mn.us</p> <p>Technical contact person: Joshua Burman, 507-344-5243 (hazardous waste) joshua.burman@state.mn.us</p> <p>Greg Kvaal, 651-757-2511 for (solid waste) greg.kvaal@state.mn.us</p> <p>Alex Hokenson, 651-757-2440 (clarifying groundwater intervention limits) alex.hokenson@state.mn.us</p> <p>Jeannie Given, 651-757-2459 (grant applications and RFPs) jeannie.given@state.mn.us</p>	<p>First RFC was published October 21, 2013.</p> <p>Preliminary draft of rule language released June 13, 2014.</p> <p>Changes to rule language are still being considered based on comments submitted.</p> <p>All comments submitted in response to the second RFC published January 14, 2019, will also be considered.</p>	<p>To be determined.</p>	<p>To be determined.</p>	<p>RFC published in SR on 21 October 2013 (38 SR 534)</p> <p>Second RFC published in the SR on 14 January 2019 (43 SR 860)</p>

COMPLETED RULEMAKING PROJECTS—ADOPTED WITHIN PAST YEAR

Subject Matter <i>(Existing webpages are listed)</i> Agency Contact Person	Notices Published	Date Rule adopted by MPCA <i>(i.e., Order to Adopt is signed)</i>	Date Rule filed with Secretary of State	Effective date of Rule
Water Quality Standards 2021-2022 Class 2 Use Designation Rules Minn. R. ch. 7050 Revisor No. R-04692	RFC published in SR on 5 April 2021 (45 SR 1087) Notice of Intent to Adopt Rules With a Hearing published in SR on 12 December 2022 (47 SR 525) . Notice of Adopted Rules published in SR on 26 June 2023 (47 SR 1207)	6/6/2023	6/12/2023	7/3/2023
Expedited Dry Cleaner Reimbursement Account rule amendments Minn. R. ch. 7152 Revisor No. R-04774	Proposed rules published in SR on 27 December 2022 (47 SR 576) Notice of Adopted Rules published in SR on 8 May 2023 (47 SR 1088)	4/3/2023	4/10/2023	5/8/2023

UNDER CONSIDERATION FOR POSSIBLE FUTURE RULEMAKING

Subject Matter <i>(Existing webpages are listed)</i> Brief Rule Summary Agency Contact Person	Current status of proposed rule and any agency determinations	Next opportunity for Public Comment Public Hearing schedule, if applicable	Timetable for adoption and other agency determinations	Notices published <i>(State Register citations)</i>
Nitrate Water Quality Standards Develop statewide water quality standard for nitrate for the protection of aquatic life.	TBD	TBD	TBD	

WITHDRAWN RULEMAKING PROJECTS

Subject Matter	Notices Published	Status	Revisor No.	Additional notes
Drainage-Hole Subsurface Sewage Treatment Systems (SSTS)	RFC published in SR on 7 November 2022 (47 SR 437)	The MPCA has decided not to move forward with this project amending Minn. R. ch. 7080. After considering public input received in response to the Nov. 2022 RFC, the Agency concluded that the existing rules prohibiting drainage holes should remain in place.	R-04773	
Use Classification Changes for Trout Stream Portion of Dark River in St. Louis County	RFC published in SR on 18 March 2019 (43 SR 1101) Notice of withdrawn rules published in SR on 15 November 2021 (46 SR 639)	The MPCA is withdrawing planned amendments to Minn. R. 7050.0470.	R-04572	
Water Quality Standards Rulemaking. Sulfate Standard for the Protection of Wild Rice	Notice of Hearing and Proposed Rules published in SR on 21 August 2017 (42 SR 171) Notice of an additional hearing published in SR on 18 September 2017 (42 SR 369) Notice of withdrawn rules published in SR on 7 May, 2018 (42 SR 1423)	Rules will not be adopted; proposed rules withdrawn from the rulemaking process.	R-04324	https://www.pca.state.mn.us/water/protecting-wild-rice-waters
Exempt Wastewater Discharge Rules	No RFC required for good cause exempt rules. Rule language provided by 2017 Minnesota Session Law, Chapter 93 (section 160).	Rules will not be adopted; the 2018 MN Legislature addressed this subject matter in law.	R-04484	Good cause exempt rule process under Minn. Stat. § 14.388.
Silica Sand Projects	RFC published in SR on 22 July 2013 (38 SR 109) 2 nd RFC published in SR on 29 September 2014 (39 SR 421) Extension of 2 nd RFC comment period published in SR on 27 October 2014 (39 SR 583) The 2013 MN Legislature authorized the MPCA to provide rules governing air emissions from silica sand mining, processing, and transporting projects. The Agency convened an advisory panel and held a series of input meetings. The 2017 MN Legislature changed the MPCA's rulemaking authority on this subject. As a result, the MPCA has decided not to propose amended rules and will instead regulate under existing authorities.	The MPCA will not be amending these rules. The 2017 MN Legislature changed the MPCA's rulemaking authority on this subject. The MPCA can regulate this activity under existing rules.	R-04206	https://www.pca.state.mn.us/regulations/silica-sand-mining

Subject Matter	Notices Published	Status	Revisor No.	Additional notes
Clean Air Act § 111(d): Clean Power Plan	RFC published in SR on 3 August 2015 (40 SR 124)	On July 8, 2019, USEPA repealed the Clean Power Plan. The MPCA will not proceed with this rulemaking.	R-04265	