

Minnesota Office of Environmental Assistance

Local Government Assistance Unit

REQUEST FOR COMMENTS

Planned Amendments to the Rules Governing the Development, Adoption and Implementation of Solid Waste Management Plans in greater Minnesota. *Minnesota Rules, Chapter 9215, Parts 9215.0500 to 9215.0880.*

Subject of Rules. The Minnesota Office of Environmental Assistance (OEA or Office) requests comments on its planned amendments to rules governing the development, adoption and implementation of solid waste management plans in greater Minnesota. The current solid waste planning rules were adopted in 1986 and subsequently amended in 1992. Since then, county solid waste management systems have matured, making some of the existing rule requirements obsolete and not as effective as they could be. In 2003, the Legislature revised Minnesota Statute § 115A.46 changing the requirement that counties submit a solid waste management plan at least every 5 years to every 10 years. Another change is the addition of the following language: “rules that regulate plan content under subdivision 2 must reflect demographic, geographic, regional and solid waste system differences that exist among the counties.”

Accordingly, the OEA plans to amend these planning rule requirements to reflect current solid waste management practices; eliminate rule requirements that are redundant or no longer needed; encourage regional planning where viable and beneficial to those counties involved; and provide counties more flexibility in choosing waste abatement strategies and integrated solid waste management systems that reflect demographic, geographic, regional and solid waste system differences that exist in Greater Minnesota.

Persons Affected. The rule amendments will affect those counties that are located outside the Metropolitan Area who are required to develop and submit a solid waste management plans at least every 10 years to the OEA for review and approval. The rules would also likely affect solid waste facility owners and operators, solid waste haulers and recyclers, solid waste engineering and planning consultants and environmental organizations.

Statutory Authority. The OEA’s authority to adopt and implement these rules is found in *Minnesota Statutes*, section 115A.06, subdivision 2. This broad rulemaking authority consists of...”Unless otherwise provided, the director shall promulgate rules in accordance with Chapter 14 to govern its activities and implement this chapter.”

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until further notice is published in the *State Register* that the Office intends to adopt or to withdraw the rules.

To facilitate comments and field questions on this planned rule, the OEA intends to hold three (3) Informational Meetings for the following dates, times and locations:

<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Address</u>
February 2, 2005	9:30 am -12pm	Blue Earth County Gov. Ctr.	Mankato, MN
February 9, 2005	9:30 am -12pm	MN Dept. of Transportation	Bemidji, MN
February 23, 2005	9:30 am -12pm	Sherburne County Gov. Ctr.	Elk River, MN

Furthermore, comments may be submitted or other information obtained on these planned rules at the OEA's web site www.moea.state.mn.us. The OEA does not contemplate appointing an advisory committee to comment on the planned rule amendments.

Rules Drafts. The OEA has prepared a draft of the planned rule amendments for review and comment.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules and requests for more information on these planned rule amendments should be directed to: Hank Fisher, Minnesota Office of Environmental Assistance, 525 Lake Avenue South, Suite 400, Duluth, Minnesota, 55804. Telephone: (218) 529-6265 or (800) 657-3843 FAX: (218) 723-4727, Email: henry.fisher@moea.state.mn.us.

Alternative Format: Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the office contact person at the address or telephone number listed above.

Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record when a proceeding to adopt rules is started. The OEA is required to submit to the judge reviewing the rules only those written comments received in response to the rules after they are formally proposed.

Art Dunn, Director
Minnesota Office of Environmental
Assistance