

Pre-cumulative impacts analysis process (proposed)

This is the first of four documents that provide a high-level overview of the major steps of the cumulative impacts rule, as proposed by the Minnesota Pollution Control Agency (MPCA) on May 18, 2026. The MPCA has prepared the rule for public notice and it will not be finalized until after the conclusion of the administrative rulemaking process.

This document does not include the proposed rule text in its entirety and is provided to help interested stakeholders better understand the MPCA's proposed rule. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule text is what the MPCA is proposing to adopt, and the SONAR is the agency's legal justification for it.



Initial assessment (completed by facility)

The facility submits the initial assessment with its air permit application. The initial assessment provides a determination of whether or not they think they need to do a cumulative impacts analysis based on criteria in rule, including the reasoning and data used to make that determination. The initial assessment is meant to answer the question, "Does the requested permit action have the potential to substantially impact the environment or health of the residents of an environmental justice area?" and will be considered by the MPCA during the determination of need.

The facility provides information such as a map with details of the neighborhood setting, all permits that are required for the facility, the facility's current and proposed operations, results from the MPCA's CI-MAP, compliance history, changes to the information used in previous cumulative impacts analyses, and its determination on the need for a cumulative impacts analysis. The MPCA has proposed what information must be included in the initial assessment to enable MPCA to determine if a facility needs to conduct a cumulative impacts analysis.

The MPCA must provide notice on the agency website after an initial assessment has been received.

Who will need to complete an initial assessment?

Generally, all facilities that meet the permit type and geographic applicability, identified below, will need to provide an initial assessment per the statute.

A facility must be located in:

- the Twin Cities seven-county metro and current cities of the first class, Duluth and Rochester (cumulative impacts area defined by statute), and
- an environmental justice area or within one mile of an environmental justice area

Cumulative impacts are defined as the impacts of aggregated levels of past and current air, water, and land pollution in a defined area that residents are exposed to.

The **Cumulative Impacts Mapping and Analysis Platform (CI-MAP)**

brings together multiple environmental stressors to help visualize and understand the different environmental stressors experienced by Minnesotans that may make residents of an EJ area susceptible to the harm from exposure to pollution.

A facility must have, or be applying for:

- an individual part 70 permit
- an individual state air permit that contains limits to keep emissions below levels allowed by a part 70 permit, or
- an individual state air permit that is for a waste combustor

A facility is applying for an air permit for:

- construction of a new facility
- expansion of an existing facility through a moderate or major amendment that has the potential to increase emissions, or
- reissuance of an expiring air permit for an existing facility

Who will not need to complete an initial assessment?

Some facilities that meet the geographic and permit type criteria will not need to prepare an initial assessment, such as those applying for:

- administrative amendments
- minor amendments, or
- permit amendments that do not involve modification



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6050 Initial Assessment

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.

An **individual part 70 permit** is an operating permit for the largest facilities, which are major sources of air emissions, and are based on federal requirements. This permit is written specifically for the activities of that facility and expires after a set amount of time and must be reissued.

An **individual state permit** is an operating permit for minor sources of air emissions and written specifically for the activities of that facility and are typically non-expiring.

A **waste combustor** is a facility where garbage, refuse, and other solid waste is burned, which produces emissions.

Moderate amendments and **major amendments** to an air permit are partially determined by the size of the proposed increase in emissions. Altering existing monitoring or emission limits specific to a facility would also require a major amendment to an air permit.

An **administrative amendment** is a change to a permit that does not involve a modification to the facility, such as a change in ownership or recordkeeping.

A **minor amendment** is a modification that will not cause an increase in emission of any regulated air pollutant over a certain level.

A **modification** is any physical change or change in the method of operation that could result in an increase in emissions of a regulated air pollutant.



Petition (completed by residents of impacted environmental justice area)

Once a facility submits an initial assessment and air permit application, residents and property owners in the impacted environmental justice area may submit a petition requesting the MPCA determine that a facility needs to conduct a cumulative impact analysis. A petition may be submitted until the public notice and comment period for the draft air permit ends.

The petition process requires at least 100 signatures and mailing addresses from individuals that reside, or own property, in the impacted environmental justice area, and must include material evidence. Material evidence needs to demonstrate the requested permit action has the potential to substantially impact the environment or health of the residents of an environmental justice area.

The MPCA reviews the petition to confirm the required information is included. If the required information is not included, the MPCA will tell the petitioner what mistakes they have made and tell them how and when to correct those mistakes. The petition must be corrected and resubmitted within 15 calendar days or it will be considered void. The MPCA must provide notice on the agency website after a petition has been accepted by the agency.

The MPCA must consider the petition and material evidence as part of the determination of need using the same benchmarks as those proposed for reviewing the initial assessment submitted by the facility.

An **impacted environmental justice area** is one or more environmental justice areas that are within one mile of the facility's property boundary even if only part of that environmental justice area is within that one mile radius.

Material evidence is not defined in rule but generally means there is a link between what is provided as evidence and the impact described (e.g., scientific journals, testimonial letters, newspaper articles, photographs, etc.)



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6060 Petition Process



Determination of need (completed by MPCA)

The MPCA decides if the facility needs to conduct a cumulative impacts analysis by reviewing the information provided by the facility in the initial assessment and permit application. The MPCA determines whether “the requested permit action may substantially impact the environment or health of the residents of the environmental justice area” by comparing the potential impacts to benchmarks proposed in rules, and reviewing any other information deemed relevant. If a petition is submitted, the MPCA also considers it when making the determination on the need for a cumulative impacts analysis.

If the MPCA determines a cumulative impacts analysis is needed, the facility must move forward with the cumulative impacts process, which includes hosting at least two public meetings and conducting a cumulative impacts analysis.

If the MPCA determines a cumulative impacts analysis is not needed, the facility is done with the cumulative impacts process and will continue with the air permitting process.

The MPCA must prepare and share on the agency website a written document with its determination on the need for a cumulative impacts analysis that describes how the decision was made.

How will the MPCA make this determination?

1. Mandatory cumulative impacts analysis

The MPCA must require a cumulative impacts analysis when the potential impacts of issuing the permit exceed any benchmarks for conducting a cumulative impacts analysis established in rule. For example, the MPCA must require a cumulative impacts analysis for:

- a new facility
- the expansion of an existing facility that would cause an increase of emissions over a specified threshold, and
- a permit reissuance for an existing facility with a history of enforcement actions within the last 3 years

The MPCA must require a cumulative impacts analysis when issuing the permit may substantially impact the environment or health of residents of an environmental justice area.

2. Discretionary cumulative impacts analysis

The MPCA may require a cumulative impacts analysis when material evidence, gathered by MPCA or through a petition, demonstrates a potential adverse cumulative impact. In this case, the MPCA may require a cumulative impacts analysis without meeting the criteria in rule for a mandatory cumulative impacts analysis.

A facility may also request to voluntarily conduct a CI analysis.

What criteria will the MPCA consider when making this determination?

The MPCA will consider the following information when making the determination on the need for a facility to complete a cumulative impacts analysis:

- the type and extent of the impact, and its reversibility
- the potential cumulative impact, including the significance of that impact and the contribution from the facility compared to the contribution from other sources of pollution
- efforts by the facility to stop or reduce pollution from the facility
- how much the potential impacts are reduced by other laws or regulatory agencies/actions
- how much the potential impacts can be anticipated and controlled



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6070 Determination of Need

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.



Cumulative impacts analysis public participation plan (completed by facility)

If the MPCA determines that a facility needs to conduct a cumulative impacts analysis, they must submit a public participation plan within 30 days of the date the MPCA shares the determination of need on the agency website. This plan must demonstrate how the facility will meet the public participation requirements in rule, as well as the timeline for hosting public meetings, public notices and public comment periods.

The MPCA reviews the plan to confirm the required information is included before the facility can provide public notice for the first public meeting they are required to hold. If the plan cannot be approved, the MPCA will tell the facility what mistakes they have made and tell them how and when to correct those mistakes. The facility cannot move forward with providing public notice for the required public meeting and conducting its cumulative impact analysis until this plan is approved by the MPCA.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6080 Public Participation



First cumulative impacts analysis public meeting and comment period

Statutory language requires the facility to host public meetings in the impacted environmental justice area if they are required to conduct a cumulative impacts analysis. At least one must be held before conducting the analysis and another must be held after.

The MPCA has proposed where and when meetings may be held, the information that must be shared, and when and how the required information must be shared. An overview of the proposed requirements for all public notices, public meetings, and public comment periods during the cumulative impacts process are available in *Public Participation Requirements (Proposed)*.

The facility is also required to provide information on the initial assessment, why a cumulative impacts analysis is required, and the information they must include in the cumulative impacts analysis at the first cumulative impacts analysis public meeting.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6080 Public Participation

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.

Cumulative impacts analysis process (proposed)

This is the second of four documents that provide a high-level overview of the major steps of the cumulative impacts rule, as proposed by the Minnesota Pollution Control Agency (MPCA) on May 18, 2026. The MPCA has prepared the rule for public notice and it will not be finalized until after the conclusion of the administrative rulemaking process.

This document does not include the proposed rule text in its entirety and is provided to help interested stakeholders better understand the MPCA's proposed rule. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule text is what the MPCA is proposing to adopt and the SONAR is the agency's legal justification for it.



Cumulative impacts analysis (completed by facility)

The facility conducts a cumulative impacts analysis by adding information to its initial assessment. The MPCA has proposed what additional information must be included in a cumulative impacts analysis in rule. This includes any revisions to the information included in the initial assessment based on comments provided during the first public meeting and public comment period. The cumulative impacts analysis is meant to answer the question, "will the requested permit action have a substantial adverse impact on the environment or health of the residents of an environmental justice area?" The facility must provide its answer to this question and the reasoning.

The MPCA has proposed what information must be included in a cumulative impacts analysis. It is based on what is necessary to evaluate the impacts to health and the environment from the facility's current and proposed operations, including:

- map of the facility site
- any on-site contamination
- localized climate impacts
- study of traffic for facility
- stormwater management
- odor, dust, and noise impacts
- limits, controls, or other measures used to prevent or reduce impacts
- public input and actions taken in response
- socioeconomic impact of facility and proposed permit action
- air quality modeling analysis
- air emissions risk analysis (AERA)
- other relevant information

An **air quality modeling analysis** uses a computer model to estimate air pollution concentrations from regulated facilities and other sources of pollution. The results are compared with the National Ambient Air Quality Standards (NAAQS) and Minnesota Ambient Air Quality Standards (MAAQS).

An **air emissions risk analysis** (AERA) is a process that uses spreadsheets, computer models, and benchmarks to assess potential health risks, to estimate the potential human health risks from air pollution emitted by the facility.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6090 Cumulative Impacts Analysis



Second cumulative impacts analysis public meeting and comment period

Statutory language requires the facility to host two public meetings in the impacted environmental justice area if they are required to conduct a cumulative impacts analysis. At least one must be held before conducting the cumulative impacts analysis and this second cumulative impacts analysis public meeting must be held after.

The MPCA has proposed where and when meetings may be held, the information the facility must share, and when and how that required information must be shared. An overview of the proposed requirements for all public notices, public meetings, and public comment periods during the cumulative impacts process are available in *Public Participation Requirements (proposed)*.

The facility is also required to provide:

- a summary of the comments received during the first public meeting and public comment period and how they impacted the cumulative impacts analysis
- the information included in the cumulative impacts analysis
- the facility's determination on whether the requested permit action will have a substantial adverse impact



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6080 Public Participation



Substantial adverse impacts determination (completed by MPCA)

The MPCA determines if the facility and the requested permit action will have a substantial adverse impact on the environment or health of the residents of the environmental justice area.

If the MPCA determines a **requested permit action WILL have a substantial adverse impact**, the facility must move forward with the cumulative impacts process, which includes hosting at least two public meetings and entering into a community benefits agreement with the MPCA.

If the **facility and the requested permit action WILL have a substantial adverse impact**, the facility can propose controls, limits or other measures to prevent the substantial adverse impact. If the MPCA determines those measures will prevent the substantial adverse impact, the facility amends the requested permit action and the cumulative impacts analysis. The facility is done with the cumulative impacts process and will continue with the air permitting process.

If the MPCA determines a **requested permit action will NOT have a substantial adverse impact**, the facility is done with the cumulative impacts process and will continue with the air permitting process.

The MPCA must prepare and share on the agency website a written document with its determination on substantial adverse impacts and a description of how that decision was made.

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.

What information will the MPCA consider when making this determination?

Statutory language requires the MPCA to consider the following:

1. Environmental and health impacts on residents of an environmental justice area, included in the cumulative impacts analysis
2. Existing impacts and vulnerabilities in the environmental justice area, including environmental stressors and how they may increase the negative impacts from the facility
3. Community input, including oral and written comments, and material evidence presented
4. Socioeconomic impact of the facility to residents of the environmental justice area
5. Any other information MPCA decides is relevant to determining if the requested permit action will have a substantial adverse impact to the environment or health of the residents of an environmental justice area

How will the MPCA make this determination?

This determination includes both qualitative (based on descriptions) and quantitative (based on numbers and data) evaluations.

Quantitative evaluations

When a benchmark or threshold exists, the MPCA will determine if there is a substantial adverse impact based on that established number-based threshold. Quantitative evaluations for determining substantial adverse impacts include the AERA and air quality modeling analysis, which have thresholds established in state and federal standards. For example, an AERA produces estimates on the potential for human health risks from air pollution which are compared with facility risk guidelines developed with the Minnesota Department of Health.

Qualitative evaluations

When there is not an established threshold to consider, the MPCA will consider written descriptions of the impacts that consider the facility's contribution to the impact and environmental stressors present in the environmental justice area. For example, the facility could provide a description of a permanent increase in truck traffic to and from the facility due to the requested permit action.

The MPCA will consider the required information using the following criteria for qualitative evaluations:

- the type and extent of the impact, and its reversibility
- the cumulative impacts, including the significance of that impact and the contribution from the facility compared to the contribution from other sources of pollution
- efforts by the facility to stop or reduce pollution from the facility
- how much the potential impacts are reduced by other laws or regulatory agencies/actions
- how much the potential impacts can be anticipated and controlled
- the environmental stressors in the impacted environmental justice area and how they may intensify the adverse environmental or health impacts



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6100 Substantial Adverse Impact

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.

Post-cumulative impacts analysis and community benefit agreement process (proposed)

This is the third of four documents that provide a high-level overview of the major steps of the cumulative impacts rule, as proposed by the Minnesota Pollution Control Agency (MPCA) on May 18, 2026. The MPCA has prepared the rule for public notice and it will not be finalized until after the conclusion of the administrative rulemaking process.

This document does not include the proposed rule text in its entirety and is provided to help interested stakeholders better understand the MPCA's proposed rule. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule text is what the MPCA is proposing to adopt and the SONAR is the agency's legal justification for it.



Community benefit agreement public participation plan (completed by facility)

If the MPCA determines there is a substantial adverse impact, the facility is required to enter into a community benefit agreement (CBA) with the MPCA. Before conducting the required engagement, the facility must submit a public participation plan within 30 days of the date the MPCA shares the determination of substantial adverse impact on the agency website. This plan must demonstrate how the facility will meet the public participation and outreach requirements in rule, as well as the timeline for hosting public meetings, public notices and public comment periods.

A **community benefit agreement** is an enforceable agreement between the MPCA and a facility that establishes the benefits the facility agrees to provide to residents of the impacted environmental justice area.

The MPCA has proposed that the facility is also required to distribute printed informational material by mail to all addresses located in the impacted environmental justice area, and detailed what information must be included in that mailer in rule. The facility must demonstrate how they plan to meet this requirement in the public participation plan.

The MPCA reviews the plan to confirm the required information is included before the facility can provide public notice for the first public meeting they are required to hold on the community benefit agreement. If the plan cannot be approved, the MPCA will tell the facility what mistakes they have made and tell them how and when to correct those mistakes. The facility cannot move forward with providing public notice for the required public meeting and developing a community benefit agreement until this plan is approved by the MPCA.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6080 Public Participation
Part 7007.6110 Community Benefit Agreements



First community benefit agreement public meeting and public comment period

Statutory language requires the facility to host at least one public meeting in the impacted environmental justice area if they are required to enter into a community benefit agreement. The MPCA has proposed in rule that the facility must host one meeting before drafting a community benefit agreement and another must be held after.

The MPCA has proposed where and when meetings may be held, the information that must be shared, and when and how the required information must be shared. An overview of the proposed requirements for all public notices, public meetings, and public comment periods during the cumulative impacts process are available in *Public Participation Requirements (proposed)*.

The facility is also required to provide:

- a summary of the comments received during the second cumulative impacts analysis public meeting and public comment period and the facility's responses
- information on the substantial adverse impacts identified by the MPCA
- the reasons why a community benefit agreement is required
- the information they must include in the community benefit agreement
- examples of benefits that could be included in a community benefit agreement

This first community benefit agreement public meeting is an opportunity for residents of the impacted environmental justice area, and interested persons, to give initial input on the community benefit agreement and potential benefits.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6080 Public Participation



Draft community benefit agreement (completed by facility)

The facility prepares a draft community benefit agreement containing the information required in rule. The facility must consider comments received during the first community benefit agreement public meeting and public comment period while preparing this draft. The MPCA has proposed what information is required, including:

- a description of the requested permit action
- the potential and expected impacts of the requested permit action
- community benefits, and the positive and negative effects of those benefits
- expected timelines for implementation and the duration of benefits
- reporting and notification requirements
- other information or requirements, as determined by the MPCA

A **draft community benefit agreement** is the initial version of a community benefit agreement which the facility drafts and offers for public review. The draft community benefit agreement is made available before the second community benefit agreement public meeting and comment period.

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.

The MPCA has not proposed what specific benefits should be considered by the facility or residents of the impacted environmental justice area. The statute requires the facility to consider community benefits other than or in addition to economic benefits and to prioritize benefits that directly impact residents of the impacted environmental justice area.

The facility must submit a draft community benefit agreement to the MPCA at least 45 days before the second community benefit agreement public meeting. The MPCA must notify any person that has requested notification of the receipt of a draft community benefit agreement by the MPCA, and share the draft community benefit agreement on the agency website.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6110 Community Benefit Agreements



Second community benefit agreement public meeting and comment period

Statutory language requires the facility to host at least one public meeting in the impacted environmental justice area if they are required to enter into a community benefit agreement. The MPCA has proposed in rule that the facility must host one meeting before drafting a community benefit agreement and another must be held after.

The MPCA has proposed where and when meetings may be held, the information that must be shared, and when and how the required information must be shared. An overview of the proposed requirements for all public notices, public meetings, and public comment periods during the cumulative impacts process are available in *Public Participation Requirements (proposed)*.

The facility is also required to provide:

- a summary of the comments received during the first community benefit agreement public meeting and public comment period and the facility's responses
- a summary of the draft community benefit agreement
- an explanation of how the comments impacted the draft community benefit agreement

This second community benefit agreement public meeting and comment period provides an opportunity for residents of the impacted environmental justice area, and other interested parties, to provide input on the draft community benefit agreement. The facility must consider these comments as they revise the draft agreement. Benefits included in the community benefit agreement must be discussed between the facility and the residents of the impacted environmental justice area at this meeting.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6080 Public Participation

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Proposed community benefit agreement (completed by facility)

After the second public meeting and comment period, the facility revises its draft community benefit agreement using the comments provided during the public meetings, public comment periods, and any other outreach and engagement activities conducted by the facility. At this point, the revised draft community benefit agreement becomes the proposed community benefit agreement, which will be submitted to the MPCA.

The facility must submit the proposed community benefit agreement, and records of the outreach and engagement conducted by the facility, to the MPCA within 45 days of the end of the public comment period for the second community benefit agreement public meeting. The facility must also provide a description and explanation for any changes made to the draft community benefit agreement while preparing the proposed community benefit agreement.

The MPCA must share the proposed community benefit agreement and a document containing the description and explanation of changes made by the facility to the draft community benefit agreement on the agency website. The MPCA must notify any person that has requested notification of the receipt of a proposed community benefit agreement by the MPCA.

A **proposed community benefit agreement** is the version of a community benefit agreement which the facility proposes to enter into with MPCA. The facility submits the proposed community benefit agreement to MPCA for consideration after the second community benefit agreement public meeting and comment period.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6110 Community Benefit Agreements



Community benefit agreement preliminary determination (completed by MPCA)

The MPCA makes a preliminary determination on whether to enter into the community benefit agreement with the facility.

The MPCA must make this preliminary determination before the public notice for the draft permit. If the MPCA makes a preliminary determination to enter into a community benefit agreement with the facility, the MPCA cannot enter into the agreement until after the public notice and comment period for the draft permit is complete.

The MPCA must prepare and share on the agency website a written document with its preliminary determination on whether to enter into a community benefit agreement with the facility and a description of how that decision was made, within 30 days of making the preliminary determination.

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.

How will the MPCA make this determination?

If all of the following are true, the MPCA must enter into a community benefit agreement with the facility:

1. The proposed community benefit agreement has been prepared in compliance with the rule.
2. The contents of the proposed community benefit agreement comply with the requirements in rule.
3. The facility's responses to comments address the issues raised during public meetings and comment periods.
4. The proposed community benefit agreement addresses issues raised during the public meetings and comment periods.
5. The proposed community benefit agreement gives priority to benefits that directly impact the residents of the impacted environmental justice area.

If the proposed community benefit agreement does not meet these requirements, the facility must:

- provide additional information to demonstrate the requirements are met, or
- revise the proposed community benefit agreement to meet these requirements.

What information will the MPCA consider when making this preliminary determination?

The MPCA will consider the following when making the preliminary determination on whether to enter into a community benefit agreement with the facility:

- the requested permit action
- the cumulative impacts analysis
- the substantial adverse impact(s) of the requested permit action
- the proposed community benefit agreement
- written and oral comments received during the cumulative impacts process
- the facility's responses to comments received during the cumulative impacts process



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6110 Community Benefit Agreements



Air permitting process and permit decision (completed by MPCA)

The MPCA processes air permits under Minnesota Rule Chapter 7007.

The cumulative impacts rule specifies additional criteria that must be met. This additional criteria is determined by the stage a facility reaches in the cumulative impacts process.

If the MPCA determines a facility **does not need to conduct a cumulative impacts analysis**:

- there are no additional criteria from the cumulative impacts rule to be considered

If a facility conducts a cumulative impacts analysis and the **requested permit action will not result in substantial adverse impacts**:

- the permit cannot be issued until 30 days after the last public meeting held by the facility, and
- the MPCA must consider the cumulative impacts analysis and written and oral comments submitted during the cumulative impacts process, when making the decision to issue or deny a permit

If a facility conducts a cumulative impacts analysis and the **requested permit action will result in substantial adverse impacts**:

- the permit cannot be issued until 30 days after the last public meeting held by the facility
- the permit must be denied if the facility does not enter into a community benefit agreement with the MPCA
- the MPCA may grant a permit that imposes conditions on the construction/operation of the facility to protect human health and the environment, if the facility and the MPCA enter into a community benefit agreement
- the MPCA must consider the cumulative impacts analysis and written and oral comments submitted during the cumulative impacts process when making the decision to issue or deny a permit

If a facility is required to conduct a cumulative impacts analysis, the facility cannot begin construction or operation of a modification of a facility, and the MPCA cannot issue or deny the permit until the MPCA determines there is not a substantial adverse impact, or a community benefit agreement is signed by both parties.

The decision to issue or deny the air permit is the final outcome of the cumulative impacts process, regardless of how far through the process a facility progresses.



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6120 Permit Decisions



Modifying a community benefit agreement

The MPCA has proposed a process for modifying a community benefit agreement in rule. A facility that has entered into a community benefit agreement with the MPCA may submit a request for an extension of time or to make other changes to the community benefit agreement.

Requesting a time extension for a community benefit agreement

To request a time extension for the schedule included in a community benefit agreement, the facility must submit a request to the MPCA at least 30 days in advance. The request must include a description of the time extension and the reason why the time extension is needed. A time extension is not effective until the MPCA determines whether to approve the extension and gives written approval.

The MPCA must determine whether good cause exists based on the weight of the evidence submitted by the facility to demonstrate good cause.

Requesting any other modification to a community benefit agreement

To request a change to the community benefit agreement, other than an extension of time, the facility must submit to the MPCA a request that includes:

- a description of changes being requested
- reasons for the changes
- a description of how the facility will provide notice to the public
- a copy of the public notice

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The MPCA reviews the request to confirm the required information is included before the facility can provide notice for the public comment period. If the request cannot be approved, the MPCA will tell the facility why the request cannot be approved and how and when to correct the issue(s).

The facility must provide public notice 15 days before the required public comment period to anyone that has subscribed to receive public notices during the cumulative impacts process and anyone who submitted a comment during the cumulative impacts process. Written and oral comments must be accepted for 45 days, and the facility must submit a written response to all comments to the MPCA within 30 days of the end of the public comment period.

The MPCA must post the community benefit agreement, with the requested changes detailed, and the responses to comments on the agency website. The MPCA must notify any person that has requested notification of the receipt of a modified community benefit agreement by the MPCA.

The facility cannot implement any requested changes of the community benefit agreement until the MPCA approves the changes and enters into a modified community benefit agreement.

How will the MPCA make this determination?

If all of the following are true, the MPCA must approve requested changes and enter into a modified community benefit agreement with the facility:

1. The request and notice to modify the community benefit agreement has been prepared in compliance with the rule
2. The facility's responses to comments address the issues raised during the public comment period
3. The modified community benefit agreement addresses issues raised during the public comment period

What information will the MPCA consider when making this determination?

The MPCA will consider the following when making the determination on whether to approve the requested changes to a community benefit agreement:

- the request to modify the community benefit agreement
- the notice to the public
- written comments received during the public comment period
- the facility's responses to comments received during the public comment period



Where can this information be found in the proposed rule language and SONAR?

Part 7007.6115 Modifying Community Benefit Agreements

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule will not be finalized until after the conclusion of the administrative rulemaking process.

Public participation requirements (proposed)

This is the last of four documents that provide a high-level overview of the major steps of the cumulative impacts rule, as proposed by the Minnesota Pollution Control Agency (MPCA) on May 18, 2026. The MPCA has prepared the rule for public notice and it will not be finalized until after the conclusion of the administrative rulemaking process.

This document does not include the proposed rule text in its entirety and is provided to help interested stakeholders better understand the MPCA's proposed rule. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci. The rule text is what the MPCA is proposing to adopt, and the SONAR is the agency's legal justification for it.

Requirements for facility



Public notices

The facility must provide public notice for all public meetings at least 30 days beforehand in the impacted environmental justice area with:

- Physical signs
- An English newspaper
- A non-English newspaper
- Subscribers to an electronic mailing list



Public meetings

The facility must host all public meetings:

- On a weekday in the evening
- In a space located in the impacted environmental justice area

The facility must also:

- Present information and provide a written fact sheet
- Take written and oral comments
- Record the meeting
- Provide interpretation and translation, upon request



Public comment periods

A public comment period must be held:

- With each required public meeting
- For at least 30 days

The public comment period must remain open for at least 15 days after the public meeting.



Other requirements

The facility must:

- Respond to comments received at a public meeting and comment period
- Provide meeting recording, comments and responses to comments to the MPCA

The facility may conduct additional outreach and engagement and use that engagement to prepare a cumulative impact analysis and community benefit agreement, if they record certain information, as indicated in rule.

The MPCA has proposed in rule what information must be included in each public notice and provided by the facility at all public meetings.

Requirements for MPCA

The MPCA must:

- Post materials on the agency website at least 30 days before a public meeting and during the public comment period
- Attend required public meetings



Where can this information be found in the proposed rule language and SONAR?

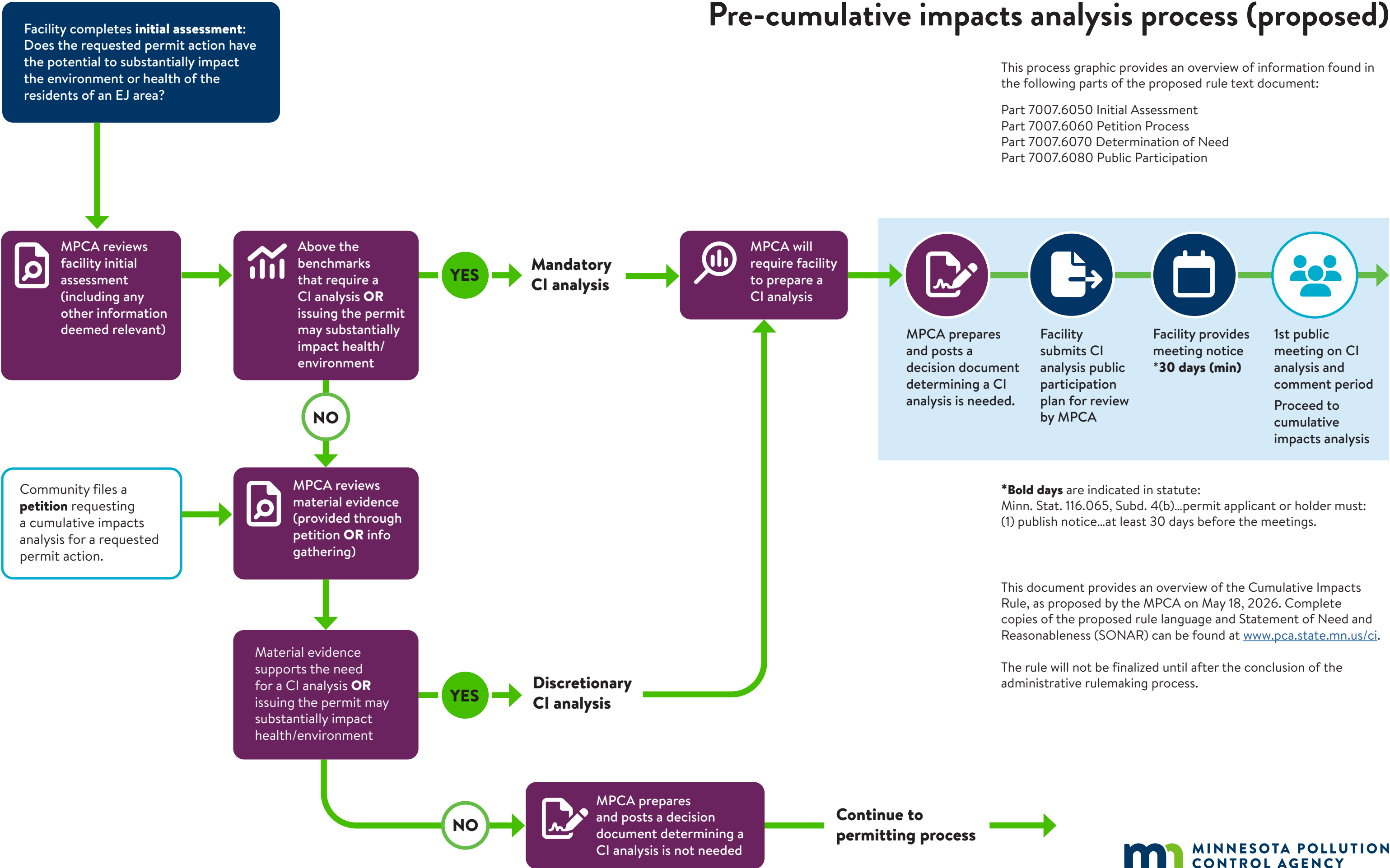
Part 7007.6080 Public Participation

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Pre-cumulative impacts analysis process (proposed)

This process graphic provides an overview of information found in the following parts of the proposed rule text document:

- Part 7007.6050 Initial Assessment
- Part 7007.6060 Petition Process
- Part 7007.6070 Determination of Need
- Part 7007.6080 Public Participation



***Bold days** are indicated in statute: Minn. Stat. 116.065, Subd. 4(b)...permit applicant or holder must: (1) publish notice...at least 30 days before the meetings.

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci.

The rule will not be finalized until after the conclusion of the administrative rulemaking process.

Cumulative impacts analysis process (proposed)



Facility completes cumulative impacts analysis

The analysis must include:

- map of the facility site
- any on-site contamination
- localized climate impacts
- study of traffic for facility
- stormwater management
- odor, dust, and noise impacts
- limits, controls, or other measures used to prevent or reduce impacts
- public input and actions taken in response
- socioeconomic impact of facility and proposed permit action
- air quality modeling analysis
- air emissions risk analysis (AERA)
- other relevant information

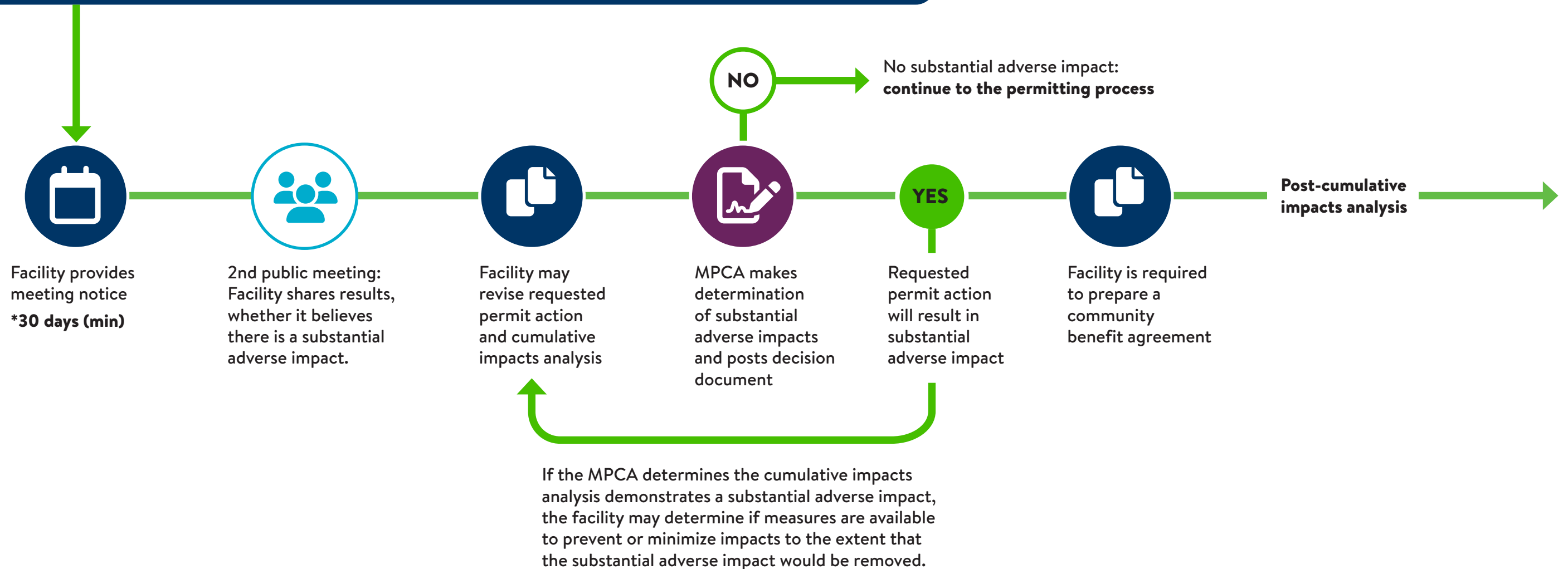
Does the cumulative impacts analysis demonstrate that the requested permit action will have substantial adverse impact on the environment or health of the residents of an environmental justice area?

This process graphic provides an overview of information found in the following parts of the proposed rule text document:

- Part 7007.6080 Public Participation
- Part 7007.6090 Cumulative Impacts Analysis
- Part 7007.6100 Substantial Adverse Impact

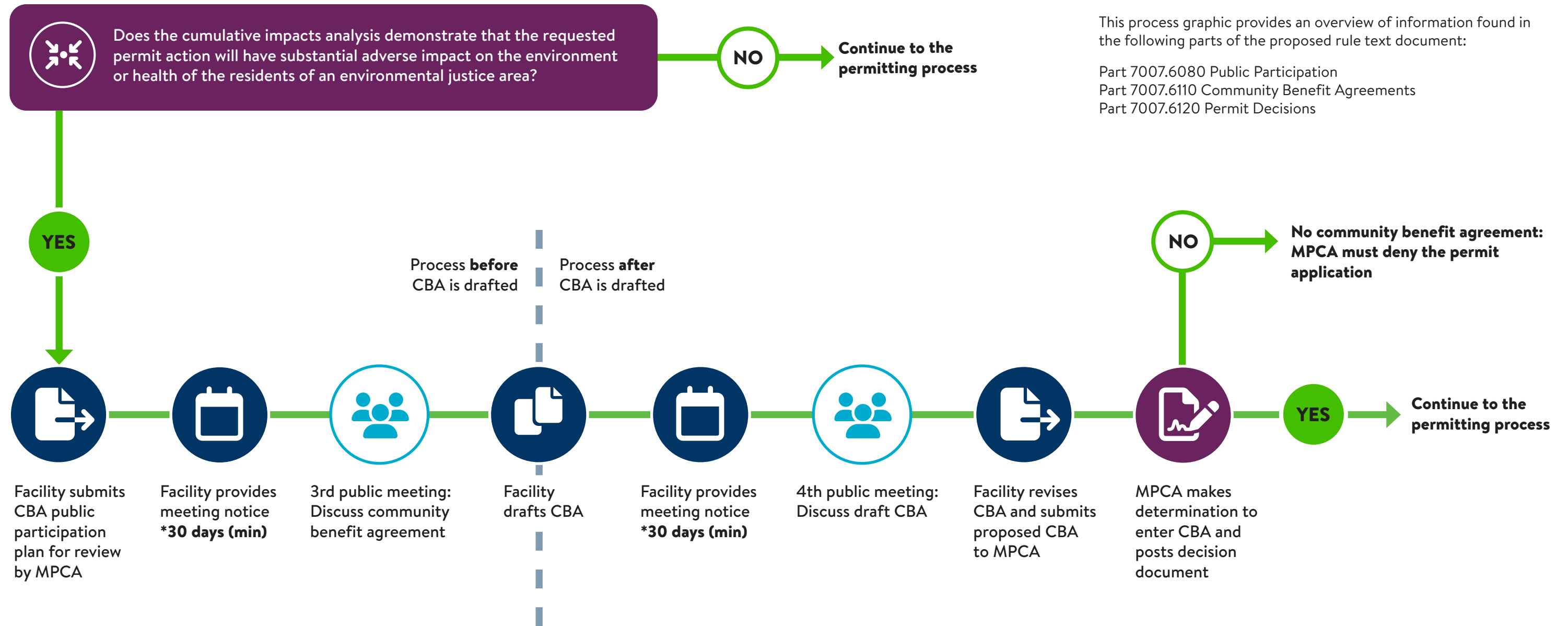
This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci.

The rule will not be finalized until after the conclusion of the administrative rulemaking process.



***Bold days** are indicated in statute:
Minn. Stat. 116.065, Subd. 4(b)...permit applicant or holder
must: (1) publish notice...at least 30 days before the meetings.

Post-cumulative impacts analysis and community benefit agreement process (proposed)



This process graphic provides an overview of information found in the following parts of the proposed rule text document:

- Part 7007.6080 Public Participation
- Part 7007.6110 Community Benefit Agreements
- Part 7007.6120 Permit Decisions

***Bold days** are indicated in statute:
Minn. Stat. 116.065, Subd. 4(b)...permit applicant or holder must: (1) publish notice...at least 30 days before the meetings.

This document provides an overview of the Cumulative Impacts Rule, as proposed by the MPCA on May 18, 2026. Complete copies of the proposed rule language and Statement of Need and Reasonableness (SONAR) can be found at www.pca.state.mn.us/ci.

The rule will not be finalized until after the conclusion of the administrative rulemaking process.