November 5, 2018

VIA EFILING ONLY
Mary H. Lynn
Principal Planner
Minnesota Pollution Control Agency
520 Lafayette Rd N
Saint Paul, MN 55155
mary.lynn@state.mn.us

Re: In the Matter of the Proposed Amendments to Rules of the Minnesota Pollution Control Agency Governing Air Quality
OAH 5-9003-35024; Revisor R-4429

Dear Ms. Lynn:

Enclosed herewith and served upon you is the ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26 AND MINN. R. 1400.2300 in the above-entitled matter. The Administrative Law Judge has determined there are no negative findings in these rules.

The Office of Administrative Hearings has closed this file and is returning the rule record so that the Minnesota Pollution Control Agency can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. Please ensure that the agency’s signed order adopting the rules is filed with our office. The Office of Administrative Hearings will request copies of the finalized rules from the Revisor’s office following receipt of that order. Our office will then file four copies of the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes, one copy to the Governor, and one to the agency for its rulemaking record. The Department will then receive from the Revisor’s office three copies of the Notice of Adoption of the rules.

The Department’s next step is to arrange for publication of the Notice of Adoption in the State Register. Two copies of the Notice of Adoption provided by the Revisor’s office should be submitted to the State Register for publication. A permanent rule without a hearing does not become effective until five working days after a Notice of Adoption is published in the State Register in accordance with Minn. Stat. § 14.27.
If you have any questions regarding this matter, please contact Denise Collins at (651) 361-7900, denise.collins@state.mn.us, or facsimile at (651) 539-0310.

Sincerely,

/s/ Lisa Armstrong

LISA ARMSTRONG
Legal Assistant

Enclosure
cc: Office of the Governor
    Legislative Coordinating Commission
    Revisor of Statutes
    Docket Coordinator
In the Matter of the Proposed Amendments to Rules Governing Air Quality, Minnesota Rules, Chapters 7005, 7007, 7008, 7011 and 7019

ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26 AND MINN. R. 1400.2300

This matter came before Administrative Law Judge Jim Mortenson upon the application of the Minnesota Pollution Control Agency (Department) for a legal review of rules under Minn. Stat. § 14.26 (2018).

On November 1, 2018, the Department filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules under Minn. Stat. § 14.26 and Minn. R. 1400.2300 (2017).

Based upon a review of the written submissions by the Department, and all of the documents in the rulemaking record,

IT IS HEREBY ORDERED:

1. The Department has the statutory authority to adopt the rules.

2. The rules were adopted in compliance with the procedural requirements of Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400.

3. The adopted rules are APPROVED.

Dated: November 5, 2018

JIM MORTENSON
Administrative Law Judge