

## Opportunities for Public Involvement in MPCA Rules

### 1. Notice Published

- a. Request for Comments published in *State Register*
- 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 *State Register*
- 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:

1. 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.
2. 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.
3. 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.
4. 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

GO—Governor's Office

MMB—Minnesota Management and Budget

APA—Administrative Procedures Act

OAH—Office of Administrative Hearings

RFC—Request for Comments

SONAR—Statement of Need and Reasonableness

SR—Minnesota *State Register*

USEPA—United States Environmental Protection Agency

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)
2. [Rulemaking](#) (all rule topic notices)
3. [New Rulemaking Announcements](#)
4. [Good Cause Exempt Rulemaking](#)
5. [Air](#) (rule topics only)
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

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>  | <b>Current status of proposed rule and any agency determinations</b>   | <b>Next opportunity for Public Comment</b><br><b>Public Hearing schedule, if applicable</b> | <b>Timetable for adoption and other agency determinations</b>     | <b>Notices published</b> <i>(State Register citations)</i>  |
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| <p><b>Air Toxics Emissions Reporting</b></p> <p><a href="https://www.pca.state.mn.us/get-engaged/air-toxics-emissions-reporting">https://www.pca.state.mn.us/get-engaged/air-toxics-emissions-reporting</a></p> <p>Minn. R. chs. 7002, 7005, 7007, and 7019</p> <p>Revisor No. R-04599</p> <p><b>Brief rule summary:</b> 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><b>Agency contact person:</b><br/>Addison Otto, 651-757-2754<br/><a href="mailto:addison.otto@state.mn.us">addison.otto@state.mn.us</a></p> <p><b>Technical contact person:</b><br/>Megan Kuhl-Stennes, 651-757-2455<br/><a href="mailto:megan.kuhlstennes@state.mn.us">megan.kuhlstennes@state.mn.us</a></p> | <p>First RFC closed September 22, 2023.</p> <p>Second RFC closed May 1, 2024.</p> <p>The Dual Notice of Intent to Adopt Rules comment period closed January 15, 2025.</p> <p>A rule hearing was held February 27, 2025.</p> <p>The post-hearing comment period closed March 19, 2025.</p> <p>The five-day rebuttal period closed March 26, 2025.</p> <p>The ALJ report was received April 21, 2025, with no negative findings.</p> | <p>To be determined.</p>  | <p>Final adoption of rules anticipated in the summer of 2025.</p> | <p>RFC published in SR on <a href="#">24 July 2023 (48 SR 88)</a></p> <p>Second RFC published in SR on <a href="#">1 April 2024 (48 SR 40)</a></p> <p>Dual Notice of Intent to Adopt published in SR on <a href="#">25 November 2024 (49 SR 22)</a></p> |

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>   | <b>Current status of proposed rule and any agency determinations</b>  | <b>Next opportunity for Public Comment</b><br><b>Public Hearing schedule, if applicable</b> | <b>Timetable for adoption and other agency determinations</b>     | <b>Notices published</b> <i>(State Register citations)</i>     |
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| <b>Air Toxics Regulations</b><br><a href="https://www.pca.state.mn.us/get-engaged/air-toxics-regulations">https://www.pca.state.mn.us/get-engaged/air-toxics-regulations</a><br>Minn. R. chs. 7002, 7005, 7007, 7017, 7012, and 7019<br>Revisor No. R-04807<br><br><b>Brief rule summary:</b> 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.<br><br><b>Agency contact person:</b><br>Erica Backstrom, 218-302-6659<br><a href="mailto:erica.backstrom@state.mn.us">erica.backstrom@state.mn.us</a><br><br><b>Technical contact person:</b><br>Cassandra Meyer, 651-757-2619<br><a href="mailto:cassandra.meyer@state.mn.us">cassandra.meyer@state.mn.us</a> | RFC closed September 22, 2023<br><br>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language. | To be determined.   | Publish Notice of Intent to Adopt proposed rules by May 18, 2026. | RFC published in SR on <a href="#">24 July 2023 (48 SR 93)</a> |
| <b>Odor Management</b><br><a href="https://www.pca.state.mn.us/get-engaged/odor-management">https://www.pca.state.mn.us/get-engaged/odor-management</a><br>Minn. R. chs. 7002, 7005, 7007, 7008, 7011, 7017, and 7019<br>Revisor No. R-04808<br><br><b>Brief rule summary:</b> 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.<br><br><b>Agency contact person:</b><br>Erica Backstrom, 218-302-6659<br><a href="mailto:erica.backstrom@state.mn.us">erica.backstrom@state.mn.us</a><br><br><b>Technical contact person:</b><br>Lauren Dickerson, 651-757-2184<br><a href="mailto:lauren.dickerson@state.mn.us">lauren.dickerson@state.mn.us</a>   | RFC closed September 8, 2023.<br><br>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language. | To be determined.   | To be determined.   | RFC published in SR on <a href="#">24 July 2023 (48 SR 90)</a> |

## ACTIVE RULES—WATER

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>   | <b>Current status of proposed rule and any agency determinations</b>  | <b>Next opportunity for Public Comment</b><br><b>Public Hearing Schedule, if applicable</b> | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b> <i>(State Register citations)</i>  |
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| <p><b>Water Quality Standards: Use Class 1</b></p> <p><a href="https://www.pca.state.mn.us/get-engaged/drinking-water-standards">https://www.pca.state.mn.us/get-engaged/drinking-water-standards</a></p> <p>Minn. R. chs. 7050, 7052, 7053, and 7060</p> <p>Revisor No. R-04727</p> <p><b>Brief rule summary:</b> 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><b>Agency contact person:</b><br/>Erica Backstrom, 218-302-6659<br/><a href="mailto:erica.backstrom@state.mn.us">erica.backstrom@state.mn.us</a></p> <p><b>Technical contact person:</b><br/>Laura Lyle, 651-757-2289<br/><a href="mailto:laura.lyle@state.mn.us">laura.lyle@state.mn.us</a></p> | <p>First RFC closed February 14, 2022.</p> <p>Second RFC closed October 30, 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>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 <a href="#">13 December 2021 (46 SR 709)</a></p> <p>RFC published in SR on <a href="#">28 August 2023 (48 SR 240)</a></p> |
| <p><b>Water Quality Standards: Use Class 2 Ammonia</b></p> <p><a href="https://www.pca.state.mn.us/get-engaged/ammonia-water-quality-standard">https://www.pca.state.mn.us/get-engaged/ammonia-water-quality-standard</a></p> <p>Minn. R. chs. 7050 and 7053</p> <p>Revisor No. R-04737</p> <p><b>Brief rule summary:</b> Revise existing ammonia standard to reflect current science.</p> <p><b>Agency contact person:</b><br/>Maggie Wenger, 651-757-2007<br/><a href="mailto:maggie.wenger@state.mn.us">maggie.wenger@state.mn.us</a></p> <p><b>Technical contact persons:</b><br/>Robert Dietz, 651-757-2668<br/><a href="mailto:robert.dietz@state.mn.us">robert.dietz@state.mn.us</a></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 <a href="#">1 August 2022 (47 SR 66)</a></p>  |

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>   | <b>Current status of proposed rule and any agency determinations</b>   | <b>Next opportunity for Public Comment</b><br><b>Public Hearing Schedule, if applicable</b> | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b><br><i>(State Register citations)</i>  |
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| <b>Water Quality Fee Rulemaking</b><br><br><a href="https://www.pca.state.mn.us/get-engaged/mpca-water-quality-fees">https://www.pca.state.mn.us/get-engaged/mpca-water-quality-fees</a><br><br>Minn. R. ch. 7002<br><br>Revisor No. R-04476<br><br><b>Brief rule summary:</b> 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.<br><br><b>Agency contact person:</b><br>Erica Backstrom, 218-302-6659<br><a href="mailto:erica.backstrom@state.mn.us">erica.backstrom@state.mn.us</a> | RFC closed September 2, 2022.  | To be determined.   | To be determined.   | RFC published in SR on <a href="#">26 June 2017 (41 SR 1504)</a><br><br>Second RFC published in SR on <a href="#">27 January 2020 (44 SR 847)</a><br><br>Third RFC published in SR on <a href="#">1 August 2022 (47 SR 63)</a> |
| <b>Lakes Water Quality Standards</b><br><br><a href="https://www.pca.state.mn.us/get-engaged/lake-aquatic-life-and-recreation">https://www.pca.state.mn.us/get-engaged/lake-aquatic-life-and-recreation</a><br><br>Minn. R. ch. 7050<br><br>Revisor No. R-04740<br><br><b>Brief rule summary:</b> 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.<br><br><b>Agency contact person:</b><br>Katie Izzo, 651-757-2595<br><a href="mailto:katie.izzo@state.mn.us">katie.izzo@state.mn.us</a><br><br><b>Technical contact person:</b><br>Will Bouchard, 651-757-2333<br><a href="mailto:will.bouchard@state.mn.us">will.bouchard@state.mn.us</a>  | RFC closed November 3, 2023.<br><br>All comments submitted in response to the RFC will be considered as the MPCA works on preparing draft rule language. | To be determined.   | To be determined.   | RFC published in SR on <a href="#">18 September 2023 (48 SR 297)</a>   |

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>  | <b>Current status of proposed rule and any agency determinations</b> | <b>Next opportunity for Public Comment</b><br><b>Public Hearing Schedule, if applicable</b>   | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b> <i>(State Register citations)</i>      |
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| <b>Animal Feedlots</b><br><a href="https://www.pca.state.mn.us/get-engaged/animal-feedlots">https://www.pca.state.mn.us/get-engaged/animal-feedlots</a><br>Minn. R. Ch. 7020<br>Revisor No. R-04928<br><br><b>Brief rule summary:</b> Update rules governing animal feedlots to improve land application of manure practices to address nitrates and fish kills, establish additional technical standards to protect water quality and avoid fish kills, and updates to address changes in livestock and poultry operation/business practices, account for new agency data services, and modernize outdated rule language.<br><br><b>Agency contact person:</b><br>Addison Otto, 651-757-2754<br><a href="mailto:addison.otto@state.mn.us">addison.otto@state.mn.us</a><br><br><b>Technical contact person:</b><br>George Schwint, 320-894-5866<br><a href="mailto:george.schwint@state.mn.us">george.schwint@state.mn.us</a> | RFC published March 24, 2025.  | The RFC public comment period will remain open until July 22, 2025, at 4:30 pm.<br><br>The MPCA hosted a webinar on May 19, 2025, and uploaded the recording to the rule-specific webpage.<br><br>The MPCA will also host in-person information sessions throughout the state in June. The exact dates, times, and locations of these meetings can be found on the rule-specific webpage at:<br><a href="https://www.pca.state.mn.us/get-engaged/animal-feedlots">https://www.pca.state.mn.us/get-engaged/animal-feedlots</a> . | To be determined.   | RFC published in SR on <a href="#">24 March 2025 (49 SR 39)</a> |

## ACTIVE RULES—LAND (HAZARDOUS WASTE, SOLID WASTE)

| <b>Subject Matter</b> ( <i>Existing webpages are listed</i> )<br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>   | <b>Current status of proposed rule and any agency determinations</b>  | <b>Next opportunity for Public Comment</b><br><b>Public Hearing Schedule, if applicable</b> | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b> ( <i>State Register citations</i> )   |
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| <b>Waste Treated Seeds</b><br><a href="https://www.pca.state.mn.us/get-engaged/waste-treated-seeds">https://www.pca.state.mn.us/get-engaged/waste-treated-seeds</a><br>Minn. R. ch. 7035 and 7045<br>Revisor No. R-04806<br><b>Brief rule summary:</b> 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.<br><b>Agency contact person:</b><br>Daniel Gonzalez, 651-757-2267<br><a href="mailto:daniel.gonzalez@state.mn.us">daniel.gonzalez@state.mn.us</a><br><b>Technical contact person:</b><br>Joshua Burman, 507-344-5243<br><a href="mailto:joshua.burman@state.mn.us">joshua.burman@state.mn.us</a> | First RFC closed October 27, 2023.<br>Second RFC closed January 30, 2024.<br>The Dual Notice of Intent to Adopt Rules comment period closed February 14, 2025.<br>A rule hearing was held March 5, 2025.<br>The post-hearing comment period closed March 26, 2025.<br>The five-day rebuttal period closed April 3, 2025.<br>The ALJ report was received on May 12, 2025, with a recommendation for disapproval. | To be determined  | To be determined.   | RFC published in SR on <a href="#">28 August 2023</a> (48 SR 243)<br>RFC published in SR on <a href="#">26 December 2023</a> (48 SR 603)<br>Dual Notice of Intent to Adopt published in SR on <a href="#">30 December 2024</a> (49 SR 697) |
| <b>Waste Management Capital Assistance Program</b><br>Webpage pending<br>Minn. R. ch. 9210<br>Revisor No. R-04815<br><b>Brief rule summary:</b> This expedited rulemaking 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 6 and 9 to 13.<br><b>Agency contact person:</b><br>Daniel Gonzalez, 651-757-2267<br><a href="mailto:daniel.gonzalez@state.mn.us">daniel.gonzalez@state.mn.us</a><br><b>Technical contact person:</b><br>Jeannie Given, 651-757-2459<br><a href="mailto:jeannie.given@state.mn.us">jeannie.given@state.mn.us</a>  | To be determined.   | To be determined.   | To be determined.   |  |

| <b>Subject Matter</b> ( <i>Existing webpages are listed</i> )<br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>   | <b>Current status of proposed rule and any agency determinations</b>   | <b>Next opportunity for Public Comment</b><br><b>Public Hearing Schedule, if applicable</b>  | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b> ( <i>State Register citations</i> )         |
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| <b>Solid Waste Facilities Exiting Postclosure Care</b><br><a href="https://www.pca.state.mn.us/get-engaged/closed-landfill-requirements">https://www.pca.state.mn.us/get-engaged/closed-landfill-requirements</a><br><br>Minn. R. ch. 7035<br><br>Revisor No. R-04878<br><br><b>Brief rule summary:</b> This good cause exempt rulemaking will amend chapter 7035 to require approval from the commissioner prior to the termination of the postclosure care period.<br><br><b>Agency contact person:</b><br>Erica Backstrom, 218-302-6659<br><a href="mailto:erica.backstrom@state.mn.us">erica.backstrom@state.mn.us</a><br><br><b>Technical contact person:</b><br>Daniel Aamodt, 651-757-2435<br><a href="mailto:daniel.aamodt@state.mn.us">daniel.aamodt@state.mn.us</a>  | The rule was approved by ALJ Megan McKenzie on May 23, 2025. The full report can be found on the MPCA rule-specific webpage. |  | The rule will be adopted in the summer of 2025.               | The rule will be published in the State Register in Summer 2025.     |
| <b>Petroleum Contaminated Soil Management</b><br><a href="https://www.pca.state.mn.us/get-engaged/treatment-of-petroleum-contaminated-soil">https://www.pca.state.mn.us/get-engaged/treatment-of-petroleum-contaminated-soil</a><br><br>Minn. R. ch. 7037<br><br>Revisor No. R-04079<br><br><b>Brief rule summary:</b> MPCA plans to amend its rules from 1993 governing evaluating and land applying petroleum-contaminated soil as a means of treatment.<br><br><b>Agency contact person:</b><br>Maggie Wenger, 651-757-2007<br><a href="mailto:maggie.wenger@state.mn.us">maggie.wenger@state.mn.us</a><br><br><b>Technical contact persons:</b><br>Heidi Bauman, 218-302 6607<br><a href="mailto:heidi.bauman@state.mn.us">heidi.bauman@state.mn.us</a><br><br>Lee Field, 218-302-6609<br><a href="mailto:lee.field@state.mn.us">lee.field@state.mn.us</a> | RFC and preliminary draft of rules published September 22, 2014.   | The MPCA is revising its timeline to consider program needs more fully before publishing proposed rules for public comment, possibly in summer 2025. | To be determined.   | RFC published in SR on <a href="#">22 September 2014 (39 SR 398)</a> |



| <b>Subject Matter</b> ( <i>Existing webpages are listed</i> )<br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>  | <b>Current status of proposed rule and any agency determinations</b>  | <b>Next opportunity for Public Comment</b><br><b>Public Hearing Schedule, if applicable</b>  | <b>Timetable for adoption and other agency determinations</b>   | <b>Notices published</b> ( <i>State Register citations</i> )             |
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| <p><b>Construction &amp; Demolition Debris Land Disposal Systems (CDLs) Rule Amendments</b></p> <p><a href="https://www.pca.state.mn.us/get-engaged/construction-and-demolition-debris-landfills">https://www.pca.state.mn.us/get-engaged/construction-and-demolition-debris-landfills</a></p> <p>Minn. R. chs. 7001 and 7035</p> <p>Revisor No. R-04556</p> <p><b>Brief rule summary:</b> Amending CDL Rules to stop CDL leachate from contaminating groundwater in response to a MPCA C&amp;D landfill groundwater monitoring report released in October 2019.</p> <p><b>Agency contact person:</b><br/>           Yolanda Letnes, Planner 651-757-2527<br/> <a href="mailto:Yolanda.letnes@state.mn.us">Yolanda.letnes@state.mn.us</a></p> <p><b>Technical contact persons:</b><br/>           Greg Kvaal, Sr. Engineer, 651-757-2511<br/> <a href="mailto:greg.kvaal@state.mn.us">greg.kvaal@state.mn.us</a></p> <p>Sherri Nachtigal, supr. Engineer, 507-206-2600<br/> <a href="mailto:sherri.nachtigal@state.mn.us">sherri.nachtigal@state.mn.us</a></p> <p>Laura Pugh, Hydrogeologist, 651-757-2313<br/> <a href="mailto:laura.pugh@state.mn.us">laura.pugh@state.mn.us</a></p> <p>Heidi Ringhofer, Planner 218-302-6652<br/> <a href="mailto:heidi.ringhofer@state.mn.us">heidi.ringhofer@state.mn.us</a></p> <p>Jon Buck, supr. Engineer, 651-757-2375<br/> <a href="mailto:Jon.buck@state.mn.us">Jon.buck@state.mn.us</a></p> | <p>First 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 and with its own Legal Services Unit to develop draft Rules and a Statement of Need and Reasonableness (SONAR).</p> <p>Staff copied much of the draft CDL Rules language from other areas of its existing landfill facility 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 concluded formal work with its RAP in mid-2023 to share major rule concepts.</p> <p>In August 2024, the MPCA completed a new series of meetings with regional stakeholders around the state. The MPCA plans to publish a revised Request for Comments (RFC) in summer 2025 to share a preliminary draft of rule language and gather more informed input. Details can be found at the rule webpage.</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 <a href="#">1 October 2018 (43 SR 417)</a></p> |

## ACTIVE RULES—CROSS-MEDIA RULES

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>   | <b>Current status of proposed rule and any agency determinations</b>  | <b>Next opportunity for Public comment</b><br><b>Public hearing schedule, if applicable</b>  | <b>Timetable for adoption and other agency determinations</b>                          | <b>Notices published</b> <i>(State Register citations)</i>   |
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| <b>Cumulative Impacts Analysis</b><br><a href="https://www.pca.state.mn.us/get-engaged/cumulative-impacts">https://www.pca.state.mn.us/get-engaged/cumulative-impacts</a><br>Minn. R. ch. 7001<br>Revisor No. R-04805<br><b>Brief rule summary:</b> 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.<br><b>Agency contact person:</b><br>Katie Izzo, 651-757-2595<br><a href="mailto:katie.izzo@state.mn.us">katie.izzo@state.mn.us</a><br><b>Technical contact person:</b><br>Hassan Bouchareb, 651-757-2653<br><a href="mailto:hassan.bouchareb@state.mn.us">hassan.bouchareb@state.mn.us</a>  | Second RFC period closed May 21, 2025.<br>All comments submitted in response to the second RFC will be considered equally with those received in response to the original RFC as the MPCA works on preparing draft rule language. | Second RFC public comment period closed May 21, 2025.<br>New events are scheduled frequently—sign up at <a href="https://public.govdelivery.com/accounts/MNPCA/subscriber/qualify?topic_id=MNPCA_523">https://public.govdelivery.com/accounts/MNPCA/subscriber/qualify?topic_id=MNPCA_523</a> to be notified when new information becomes available. | By statutory requirement, MPCA must publish Notice of Intent to Adopt by May 26, 2026. | Second RFC published in SR on <a href="#">21 April 2025 (49 SR 43)</a><br>RFC published in SR on <a href="#">24 July 2023 (48 SR 96)</a>   |
| <b>PFAS in Products Reporting and Fees</b><br><a href="https://www.pca.state.mn.us/get-engaged/pfas-in-products-reporting-and-fees">https://www.pca.state.mn.us/get-engaged/pfas-in-products-reporting-and-fees</a><br>Minn. R. ch. (new rule chapter number to be determined)<br>Revisor No. R-04828<br><b>Brief rule summary:</b> Rules to establish a program for the MPCA to collect information and an associated fee 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.<br><b>Agency contact person:</b><br>Quinn Carr, 651-757-2722<br><a href="mailto:quinn.carr@state.mn.us">quinn.carr@state.mn.us</a><br><b>Technical contact person:</b><br>Andria Kurbondski, 651-757-2525<br><a href="mailto:andria.kurbondski@state.mn.us">andria.kurbondski@state.mn.us</a> | The rebuttal comment period closed on June 30. The agency will receive the Administrative Law Judge report within 30 days.  | A hearing occurred on May 22, 2025.  | Adopt rules by January 1, 2026.  | Second RFC published in SR on <a href="#">18 November 2024 (49 SR 550)</a><br>RFC published in SR on <a href="#">25 September 2023 (48 SR 325)</a><br>Notice of Hearing to Adopt Rules published in SR on <a href="#">21 April 2025 (49 SR 1165)</a> |

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>  | <b>Current status of proposed rule and any agency determinations</b>   | <b>Next opportunity for Public comment</b><br><b>Public hearing schedule, if applicable</b>   | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b> <i>(State Register citations)</i>                  |
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| <p><b>PFAS in Products Currently Unavoidable Use</b></p> <p><a href="https://www.pca.state.mn.us/get-engaged/pfas-in-products-currently-unavoidable-use">https://www.pca.state.mn.us/get-engaged/pfas-in-products-currently-unavoidable-use</a></p> <p>Minn. R. ch. (new rule chapter number to be determined)</p> <p>Revisor No. R-04837</p> <p><b>Brief rule summary:</b> 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><b>Agency contact person:</b><br/> Addison Otto, 651-757-2754<br/> <a href="mailto:addison.otto@state.mn.us">addison.otto@state.mn.us</a></p> <p><b>Technical contact person:</b><br/> Andria Kurbondski, 651-757-2525<br/> <a href="mailto:andria.kurbondski@state.mn.us">andria.kurbondski@state.mn.us</a></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 <a href="https://public.govdelivery.com/accounts/MNPCA/subscriber/new?topic_id=MNPCA_521">https://public.govdelivery.com/accounts/MNPCA/subscriber/new?topic_id=MNPCA_521</a> to be notified when new information becomes available.</p> | <p>To be determined.</p>                                      | <p>RFC published in SR on <a href="#">18, December 2023 (48 SR 557)</a></p> |

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>   | <b>Current status of proposed rule and any agency determinations</b>  | <b>Next opportunity for Public comment</b><br><b>Public hearing schedule, if applicable</b> | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b> <i>(State Register citations)</i>   |
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| <p><b>Land-Related Housekeeping Amendments</b></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><a href="https://www.pca.state.mn.us/get-engaged/land-housekeeping-amendments">https://www.pca.state.mn.us/get-engaged/land-housekeeping-amendments</a></p> <p>Minn. R. chs. 7000, 7001, 7035, 7045, 9210, and 9215</p> <p>Revisor No. R-04155</p> <p><b>Brief rule summary:</b><br/> <b>First RFC topics:</b><br/> 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><b>Second RFC topics:</b><br/> 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><b>Agency contact person:</b><br/> Yolanda Letnes, 651-757-2527<br/> <a href="mailto:yolanda.letnes@state.mn.us">yolanda.letnes@state.mn.us</a></p> <p><b>Technical contact persons:</b><br/> Joshua Burman, 507-344-5243 (hazardous waste)<br/> <a href="mailto:joshua.burman@state.mn.us">joshua.burman@state.mn.us</a><br/> Daniel Aamodt , 651-757-2435 for (solid waste)<br/> <a href="mailto:daniel.aamodt@state.mn.us">daniel.aamodt@state.mn.us</a></p> <p>Alex Hokenson, 651-757-2440 (clarifying groundwater intervention limits)<br/> <a href="mailto:alex.hokenson@state.mn.us">alex.hokenson@state.mn.us</a><br/> Mark Rust, 651-757-2684 (grant applications and RFPs)<br/> <a href="mailto:mark.rust@state.mn.us">mark.rust@state.mn.us</a></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 <a href="#">21 October 2013 (38 SR 534)</a></p> <p>Second RFC published in the SR on <a href="#">14 January 2019 (43 SR 860)</a></p> |

COMPLETED RULEMAKING PROJECTS—ADOPTED WITHIN PAST YEAR

| Subject Matter <i>(Existing webpages are listed)</i> |                   | Date Rule adopted by MPCA<br><i>(i.e., Order to Adopt is signed)</i> | Date Rule filed with<br>Secretary of State | Effective date<br>of Rule |
|--|-------------------|--|--|---------------------------|
| Agency Contact Person                                | Notices Published |  |  |                           |
| N/A  |                   |  |  |                           |

UNDER CONSIDERATION FOR POSSIBLE FUTURE RULEMAKING

| <b>Subject Matter</b> <i>(Existing webpages are listed)</i><br><b>Brief Rule Summary</b><br><b>Agency Contact Person</b>           | <b>Current status of proposed rule and any agency determinations</b> | <b>Next opportunity for Public Comment</b><br><b>Public Hearing schedule, if applicable</b> | <b>Timetable for adoption and other agency determinations</b> | <b>Notices published</b><br><i>(State Register citations)</i> |
|--|--|---|---|---|
| <b>Nitrate Water Quality Standards</b><br>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 <a href="#">7 November 2022 (47 SR 437)</a>  | 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 <a href="#">18 March 2019 (43 SR 1101)</a><br>Notice of withdrawn rules published in SR on <a href="#">15 November 2021 (46 SR 639)</a>  | 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 <a href="#">21 August 2017 (42 SR 171)</a><br>Notice of an additional hearing published in SR on <a href="#">18 September 2017 (42 SR 369)</a><br>Notice of withdrawn rules published in SR on <a href="#">7 May, 2018 (42 SR 1423)</a>   | Rules will not be adopted; proposed rules withdrawn from the rulemaking process.   | R-04324     | <a href="https://www.pca.state.mn.us/water/protecting-wild-rice-waters">https://www.pca.state.mn.us/water/protecting-wild-rice-waters</a> |
| Exempt Wastewater Discharge Rules   | No RFC required for good cause exempt rules.<br>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 <a href="#">22 July 2013 (38 SR 109)</a><br>Second RFC published in SR on <a href="#">29 September 2014 (39 SR 421)</a><br>Extension of second RFC comment period published in SR on <a href="#">27 October 2014 (39 SR 583)</a><br><br>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.<br><br>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     | <a href="https://www.pca.state.mn.us/regulations/silica-sand-mining">https://www.pca.state.mn.us/regulations/silica-sand-mining</a>       |

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