

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed
Rule Amendments Governing
Air Quality, Minnesota Rules
Chapters 7002, 7005, 7007,
7009, 7011, 7017, and 7019

**ORDER ON REQUEST FOR REVIEW
AND APPROVAL OF ADDITIONAL
NOTICE PLAN AND NOTICE OF
INTENT TO ADOPT RULES WITHOUT A
HEARING**

This matter came before Administrative Law Judge Jessica A. Palmer-Denig upon the request of the Minnesota Pollution Control Agency (MPCA) for review and approval of its Additional Notice Plan and Notice of Intent to Adopt Rules Without a Public Hearing (Notice). The MPCA filed its materials on September 13, 2021, and subsequently supplemented its submission, making its final filing on September 15, 2021. The MPCA seeks a legal review of its materials under Minn. Stat. § 14.22 (2020) and Minn. R. 1400.2060, .2080 (2021).

Under its Additional Notice Plan, the MPCA plans to notify all parties on its GovDelivery electronic mailing list with hyperlinks to its webpage where copies of the Notice, proposed rules, and Statement of Need and Reasonableness (SONAR) may be viewed. The MPCA will notify all federally recognized tribes in Minnesota by providing notice to the designated air tribal contact person for the tribal communities. The MPCA will provide specific notice to the two entities that submitted comments during the Request for Comments public comment period (Complete Health Environmental and Safety Services, Inc. and Xcel Energy). The MPCA also plans to notify the Minnesota Chamber of Commerce and affected Minnesota businesses and business associations, and a number of environmental and governmental entities including the U.S. Environmental Protection Agency Region V air program staff, the League of Minnesota Cities, the Association of Minnesota Counties, the Minnesota Center for Environmental Advocacy, and the Sierra Club North Star Chapter. The MPCA will also provide notice to the White Bear Area Neighborhood Concerned Citizens Group. Finally, the MPCA will provide notice of this matter on its website and in its electronic newsletters entitled *Air Mail* and *Small Business Enterprise*.

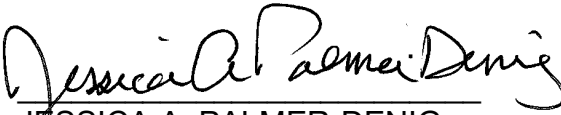
Based upon a review of the written submissions from the MPCA,

IT IS HEREBY ORDERED THAT:

1. The Additional Notice Plan is **APPROVED**.

2. The Notice is **APPROVED**, contingent upon amendment of the Notice to insert a date for the deadline for receipt of comments that is at least 30 days after the date of publication of the Notice and proposed rules.¹

Dated: September 20, 2021


JESSICA A. PALMER-DENIG
Administrative Law Judge

¹ See Minn. Stat. § 14.22, subd. 1(1); Minn. R. 1400.2080, subp. 3B.