

May 23, 2025

VIA EFILING ONLY

Erica Backstrom
Minnesota Pollution Control Agency
525 S Lake Ave Ste 400
Duluth, MN 55802
erica.backstrom@state.mn.us

**Re: *In the Matter of the Adopted Exempt Permanent Rule:
Terminating Postclosure Care of Solid Waste Disposal
Facilities (R04878)*
OAH 25-9003-40430; Revisor R-4878**

Dear Erica Backstrom:

Enclosed herewith and served upon you by mail is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.388 AND MINN. R. 1400.2400** in the above-entitled matter. The amendments to the rule parts are exempt from the rulemaking requirements of Minn. R. ch. 1400 (2023) pursuant to the good cause exemption in Minn. Stat. § 14.388, subd. 3 (2024).

With the approval of the adopted rules, the Office of Administrative Hearings has closed this file and is returning the rule record to the Agency so that the Minnesota Pollution Control Agency can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365 (2024). Upon submission to the Office of Administrative Hearings of the Minnesota Pollution Control Agency's signed order approving the rules, the Office of Administrative Hearings will file the rules with the Secretary of State. The Agency's next step is to arrange for publication of the proposed amendments in the State Register as required by Minn. Stat. § 14.388, subd. 1 (2024).

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,


SAMANTHA COSGRIFF
Legal Assistant

Enclosure

cc: Legislative Coordinating Commission
Ryan Inman

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Adopted Exempt
Permanent Rule: Terminating Postclosure
Care of Solid Waste Disposal Facilities
(R-4878)

**ORDER ON REVIEW
OF RULES UNDER
MINN. STAT. § 14.388
AND MINN. R. 1400.2400**

This matter came before Administrative Law Judge Megan J. McKenzie upon the application of the Pollution Control Agency (Agency) for a legal review under Minn. Stat. § 14.388 (2024).

On May 9, 2024 the Agency filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules under Minn. Stat. § 14.388 and Minn. R. 1400.2400 (2023).

Based upon a review of the written submissions by the Agency, and for the reasons set out in the Memorandum which follows below,

IT IS HEREBY DETERMINED THAT:

1. The rule was adopted in compliance with the procedural requirements of Minnesota Statutes, Chapter 14 (2024), and Minnesota Rules, Chapter 1400 (2023).
2. According to Laws of Minnesota 2024, chapter 116, article 2, sections 30(b), the Agency has the statutory authority to adopt the proposed rule using the exempt rulemaking process.

IT IS HEREBY ORDERED THAT:

The adopted rule is **APPROVED**.

Dated: May 23, 2025


Megan J. McKenzie
Administrative Law Judge