

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed
Permanent Rules Governing
Petroleum-Contaminated Soil
Management, Minnesota Rules
Chapter 7037

**ORDER ON REVIEW
OF ADDITIONAL NOTICE
PLAN**

This matter came before Administrative Law Judge Kimberly Middendorf upon the request of the Minnesota Pollution Control Agency (MPCA) for a legal review under Minn. R. 1400.2060 (2021) of its Additional Notice Plan in the above-captioned proceeding.

Under its Additional Notice Plan, the MPCA plans to send electronic notice of the proposed rules to all persons who have registered to receive notice of MPCA rulemakings, including rulemakings related to treatment of petroleum contaminated soil. The MPCA will send the notice electronically via its GovDelivery email system and will include hyperlinks to the Notice of Intent to Adopt Rules Without a Public Hearing (Notice of Intent), the Statement of Need and Reasonableness (SONAR), and the proposed rules. The MPCA will also send paper copies as requested.

In addition, the MPCA intends to provide the same electronic notice with hyperlinks to the Notice of Intent, SONAR, and proposed rules to the following organizations:

- Association of Minnesota Counties
- Association of Metropolitan Municipalities
- League of Minnesota Cities
- Metropolitan Council
- Metropolitan Airports Commission
- Minnesota Service Station & Convenience Store Association
- Minnesota Petroleum Marketers
- Minnesota Association of Townships
- Minnesota Chamber of Commerce
- Minnesota City/County Management Association

The MPCA will also send an electronic notice with hyperlinks to its Notice of Intent, SONAR, and proposed rules to its following contact lists and GovDelivery email lists:

- Air and Water Tribal Contacts List (tribal contacts expressing interest in land-related rulemaking)
- Tank Compliance email list (owners and operators of UST and AST tank systems in Minnesota)

- UST Contractors List (contractors that work with UST and AST tank systems)

Finally, the MPCA will post a copy of the Notice of Intent, SONAR, and proposed rules on its Public Notice webpage at: www.pca.state.mn.us/public-notices.

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

IT IS HEREBY ORDERED THAT:

The Additional Notice Plan is **APPROVED**.

Dated: August 30, 2021

A handwritten signature in black ink, appearing to read "KimMi", written over a horizontal line.

Kimberly Middendorf
Administrative Law Judge