

 **MINNESOTA**
ENVIRONMENTAL QUALITY BOARD

Minnesota Environmental Quality Board | 520 Lafayette Road North | Saint Paul, MN 55155

November 30, 2023

The Honorable Tim Walz
Governor, State of Minnesota
Room 130, State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155

The Honorable Nick A. Frentz, Chair
Energy, Utilities, Environment, and
Climate Committee
3109 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Tou Xiong, Vice Chair
Energy, Utilities, Environment, and
Climate Committee
3203 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Andrew Mathews
Energy, Utilities, Environment, and
Climate Committee
2233 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Fong Hawj, Chair
Environment, Climate, and
Legacy Committee
3231 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Jennifer A. McEwen, Vice Chair
Environment, Climate, and
Legacy Committee
3231 Minnesota Senate Bldg.
St. Paul, MN 55155

The Honorable Justin D. Eichorn
Environment, Climate, and
Legacy Committee
2235 Minnesota Senate Bldg.
St. Paul, MN 55155

Mr. Ryan Inman, Revisor
Office of the Revisor of Statutes
700 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1206

The Honorable Patty Acomb, Chair
Climate and Energy Finance and
Policy Committee
593 State Office Building
St. Paul, MN 55155

The Honorable Larry Kraft, Vice Chair
Climate and Energy Finance and
Policy Committee
515 State Office Building
St. Paul, MN 55155

The Honorable Chris Swedzinski
Climate and Energy Finance and
Policy Committee
245 State Office Building
St. Paul, MN, 55155

The Honorable Rick Hansen, Chair
Environment and Natural Resources Finance
and Policy Committee
407 State Office Building
St. Paul, MN 55155

The Honorable Sydney Jordan, Vice Chair
Environment and Natural Resources Finance
and Policy Committee
553 State Office Building
St. Paul, MN 55155

The Honorable Josh Heintzeman
Environment and Natural Resources Finance
and Policy Committee
375 State Office Building
St. Paul, MN 55155

Michelle Yurich, Executive Director
Legislative Coordinating Commission
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Suite 600
St. Paul, MN 55155-1206

RE: Annual report on obsolete, unnecessary, or duplicative rules as required by Minnesota Statutes, section 14.05, subdivision 5

Dear Governor Walz, Senators, Representatives, Director Yurich and Revisor Inman:

The Environmental Quality Board (EQB) hereby submits its annual report on obsolete, unnecessary, or duplicative rules as required by [Minn. Stat. § 14.05, subd. 5](#):

“By December 1 of each year, an agency must submit to the governor, the Legislative Coordinating Commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules. By December 1, the agency must either report a timetable for repeal of the rule or portion of the rule, or must develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary, or duplicative rule. Such a bill must include proposed authorization to use the expedited procedures of section [14.389](#) to repeal or amend the obsolete, unnecessary, or duplicative rule. A report submitted under this subdivision must be signed by the person in the agency who is responsible for identifying and initiating repeal of obsolete rules. The report also must identify the status of any rules identified in the prior year's report as obsolete, unnecessary, or duplicative. If none of an agency's rules are obsolete, unnecessary, or duplicative, an agency's December 1 report must state that conclusion.”

In accordance with Minnesota Statute, the EQB conducted a review of its rules. EQB held a voluntary public comment period in the fall of 2023, for members of the public to review and identify obsolete, unnecessary, or duplicative rules. EQB collected comments via email, as advertised in the *EQB Monitor* newsletter.

The EQB will consider these obsolete rules during our next rulemaking effort.

Catherine Neuschler,



Executive Director,
Environmental Quality Board

Attachment 1: Obsolete Rules Report

Attachment 1: EQB Obsolete Rules Report

Obsolete rules summary, 2023

Minnesota rules chapter reference	Obsolete, unnecessary, or duplicative	Explanation	Timetable for repeal
4410.0200 Subp. 48, 67, 92a, 92b	Obsolete	“Project Riverbend” references a program that has been repealed in 2014 from Minn. Statute 103F. There are currently no readily available data, maps, or resources indicating the location of the Minnesota River Project Riverbend area.	Next scheduled rulemaking
4410.1500 A. (9)	Obsolete	The Environmental Conservation Library no longer exists.	Next scheduled rulemaking
4410.2100 Subp. 10	Duplicative	It does not need to be specified here that the RGU must be responsible for expediting the selection of consultants for the preparation of the EIS. Timelines dictate this already.	Next scheduled rulemaking
4410.4300 Subp. 8B, 27B, 28A, 29B	Obsolete	“Project Riverbend” references a program that has been repealed in 2014 from Minn. Statute 103F. There are currently no readily available data, maps, or resources indicating the location of the Minnesota River Project Riverbend area.	Next scheduled rulemaking
4410.4600 Subp. 10A, 10C, 12A, 19B	Obsolete	“Project Riverbend” references a program that has been repealed in 2014 from Minn. Statute 103F. There are currently no readily available data, maps, or resources indicating the location of the Minnesota River Project Riverbend area.	Next scheduled rulemaking
9205.0500-9205.0560	Obsolete	This references “an area in the board’s inventory of preferred areas for hazardous waste processing facilities.” This rule is no longer relevant and references a statute that has been repealed.	Next scheduled rulemaking