

Minnesota Department of Health

Division of Environmental Health

REQUEST FOR COMMENTS

Proposed Amendment to Rules Governing Indoor Air Quality in the Operation and Maintenance of Enclosed Sports Arenas, *Minnesota Rules*, Parts 4620.3900 to 4620.4900

Subject of Rules. The Minnesota Department of Health requests comments on its proposed amendment to rules governing indoor air quality in the operation and maintenance of enclosed sports arenas. While the current rule has served the Department well, changes to this rule have not been made since 1977. New issues have since developed that might adversely affect public health. The Department needs to address these concerns and consider new technologies that might simplify compliance with the rule.

The Department is considering changing the rules to do the following:

- clarify air monitoring and documentation requirements,
- ensure that air quality standards are consistent with current health risk data,
- develop air monitoring protocols for special motor sports events,
- specify standard practices for safely operating indoor sports arenas that hold motorsports events,
- and incorporate modern air-monitoring technologies into compliance measures.

Persons Affected. The amendment to the rules would likely affect owners and operators of enclosed sports arenas and the patrons that use those facilities. Also possibly affected would be the general public attending events as spectators, indoor motorsports participants and event managers, and activity groups such as hockey, speed and figure skating associations.

Statutory Authority. *Minnesota Statutes*, section 144.1222, subdivision 3, requires the Department to adopt rules “relating to indoor air quality in the operation and maintenance of enclosed sports arenas.”

Public Comment. Interested persons or groups may submit comments or information on these proposed rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. It will be more than 60 days from the date of this publication before the Department will publish such a notice. The Department intends to hold regional public forums to inform stakeholders of intended rule changes and allow for a public arena for comments and concerns to be expressed. The forums have been scheduled and include meetings in Bemidji on October 27, 2009, in St. Paul on November 17, 2009 and in Mankato on November 19, 2009. If interested in participating in the public forum please register by calling the Department at 651-201-4601. It is the Department’s desire that user groups, arena operators, event sponsors, air quality professionals and arena vendors attend and participate in the regional forums. Therefore, the Department does not intend to form an advisory committee to comment on the proposed rules.

Agency Contact Person. Written comments, questions and requests for more information on these possible rules should be directed to: John D. Olson at Minnesota Department of Health, Indoor Air Unit, telephone: 651-201-4601, fax: 651-201-4606. TTY users may call the Department at 651-201-5797.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Signed by Commissioner Sanne Magnan on October 6, 2009