

Minnesota Department of Health

ORDER ADOPTING RULES

Adoption of Amendments to Rules Governing Health Risk Limits for Groundwater, Minnesota Rules, Chapter 4717, Parts 7500 and 7860; Revisor's ID Number RD 4587; OAH Docket No. 22-9000-38941

BACKGROUND INFORMATION

1. The Minnesota Department of Health (Department) has complied with all notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law. No modifications were made to the proposed rule.

2. The Department adopts the Chief Administrative Law Judge's (Chief ALJ) Report dated July 20, 2023, and incorporates the Report into this Order.

3. In her Report, the Chief ALJ disapproved the proposed rule due to a procedural defect. Specifically, the Department did not explicitly communicate its determination regarding costs under section 14.127. The Chief ALJ approved the rule in all other respects and instructed the Department that it could cure the defect by supplementing its Statement of Need and Reasonableness (SONAR) with an explicit recital of its determination as to costs and noting this supplement to the SONAR in this Order Adopting the Rule. As indicated in the attached supplement to the SONAR, which is marked as Appendix G, the Department has determined that there are no costs as a direct result of these rule amendments. Accordingly, the cost of complying with a proposed rule in the first year after the rule takes effect will not exceed \$25,000 for: (1) any one business that has less than 50 full-time employees; or (2) any one statutory or home rule charter city that has less than ten full-time employees. Appendix G is now adopted as a supplement to the Department's SONAR and appended thereto.

4. The rules are needed and reasonable.

ORDER

The above-named rules, as proposed and reflected in the Revisor's draft, file number AR4587, dated November 1, 2022, are adopted under my authority in Statutes, section 103H.201.

August 11, 2023
Date

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Cunningham
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