



**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

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

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  
651-296-8075

The Honorable Fong Hawj, Chair  
Environment, Climate, and Legacy Committee  
3231 Minnesota Senate Bldg.  
St. Paul, MN 55155  
651-296-5285

The Honorable Jennifer A. McEwen, Vice Chair  
Environment, Climate, and Legacy Committee  
3231 Minnesota Senate Bldg.  
St. Paul, MN 55155  
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The Honorable Justin D. Eichorn  
Environment, Climate, and Legacy Committee  
2235 Minnesota Senate Bldg.  
St. Paul, MN 55155  
651-296-7079

The Honorable Patty Acomb, Chair  
Climate and Energy Finance and Policy Committee  
593 State Office Building  
St. Paul, MN 55155  
651-296-9934

The Honorable Larry Kraft, Vice Chair  
Climate and Energy Finance and Policy Committee  
515 State Office Building  
St. Paul, MN 55155  
651-296-7026

The Honorable Chris Swedzinski  
Climate and Energy Finance and Policy Committee  
245 State Office Building  
St. Paul, MN, 55155  
651-296-5374

The Honorable Rick Hansen, Chair  
Environment and Natural Resources Finance and  
Policy Committee  
407 State Office Building  
St. Paul, MN 55155  
651-296-6828

The Honorable Sydney Jordan, Vice Chair  
Environment and Natural Resources Finance and  
Policy Committee  
553 State Office Building  
St. Paul, MN 55155  
651-296-4219

The Honorable Josh Heintzeman  
Environment and Natural Resources Finance and  
Policy Committee  
375 State Office Building  
St. Paul, MN 55155  
651-296-4333

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

**Subject:** 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) respectfully 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 the next scheduled rulemaking effort.

Catherine Neuschler,

Executive Director,  
Environmental Quality Board  
Attachment 1: Obsolete Rules Report

## Attachment 1: Obsolete Rules Report

### Obsolete rules summary, 2023

Minnesota rules chapter reference	Obsolete, unnecessary, or duplicative	Explanation	Timetable for repeal
4410.0200 Subp. 67	Obsolete	This definition of “Project Riverbend plan” is of a program that 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. 27(B)	Obsolete	The EQB rule is referencing a designated area and program that no longer exists. DNR’s Land Use Section Program has confirmed that statues designating and authorizing Project River Bend were repealed in 2014. There are currently no readily available data, maps, or resources indicating the location of the Minnesota River Project Riverbend area.	Next scheduled rulemaking
9205.0510	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