OAH 71-9003-36416
Revisor R-4626

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules of the Minnesota Pollution Control Agency Adopting Vehicle Greenhouse Gas Emissions Standards (Clean Cars Minnesota), Minnesota Rules Chapter 7023	**ORDER ON REQUEST FOR REVIEW AND APPROVAL OF ADDITIONAL NOTICE PLAN AND NOTICE OF HEARING**

This matter came before Administrative Law Judge Jessica A. Palmer-Denig upon the request of the Minnesota Pollution Control Agency (MPCA) for review and approval of its Additional Notice Plan and Notice of Intent to Adopt Rules with a Hearing (Notice of Hearing). The MPCA filed its materials on September 3, 2020. The MPCA supplemented its submission on September 10, 2020, making the filing complete. The MPCA seeks a legal review of its materials under Minn. R. 1400.2060, .2080 (2019).

Under its Additional Notice Plan, the MPCA intends to notify by email various professional automobile manufacturer and dealer associations, environmental groups, and governmental entities. The MPCA will include in the email a hyperlink leading to electronic copies of the Notice of Hearing, proposed rules, and Statement of Need and Reasonableness (SONAR). The MPCA will also provide specific notice to tribal authorities and hold public information sessions during the pre-hearing comment period. Finally, the MPCA will publish its Notice of Hearing and proposed rule amendments on its webpage and provide notice of the rulemaking in its electronic newsletter.

Based upon a review of the MPCA's written submissions,

IT IS HEREBY ORDERED THAT:

1. The Additional Notice Plan as described in the MPCA's SONAR is **APPROVED**.

2. The Notice of Hearing is **APPROVED**, contingent upon:

   (a) insertion of the dates and times for the public information webinars and public hearing;

   (b) insertion of the name of Administrative Law Judge Palmer-Denig's Legal Assistant, Anne Laska, before the telephone number provided in the Administrative Law Judge section; and

(c) amendment of the first paragraph of the Comment section as indicated by underlining and strikethroughs as follows:

Comments. You and all interested or affected people, including representatives of associations and other interested groups, will have an opportunity to participate. The ALJ will accept your views either orally at the hearing or in writing at any time before the close of the hearing record. Comments received at the hearing will be considered equally with written comments. You are strongly encouraged to submit written comments to the ALJ through the OAH Rulemaking eComments website at *https://minnesotaoah.granicusideas.com/discussions.* ~~or,~~ If it is not possible for you to use the eComments website, you may submit your written comments in person, via U.S. mail, or by fax to Judge Palmer-Denig at the address provided in the Administrative Law Judge section. All evidence that you present should relate to the proposed rules. **NOTE: Comments regarding the MPCA's proposal *must be sent to the ALJ*. Comments sent to the MPCA alone will not be part of the rulemaking record.** Comments submitted after the close of the comment period will not be accepted or considered part of the record. After the ALJ sets the closing date, the MPCA will update the rule website at *https://www.pca.state.mn.us/air/clean-cars-mn-rulemaking* to notify interested parties of the deadline to comment.

Dated: September 14, 2020

JESSICA A. PALMER-DENIG
Administrative Law Judge