

August 21, 2000

Commissioner Karen Studders
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4195

Re: In the Matter of the Proposed Adoption of the Minnesota Pollution Control Agency's Rules Governing Animal Feedlots and Storage, Transportation, and Utilization of Animal Manure, Minnesota Rules, Parts 7001.0020 and 7002.0210 – 7002.0280, and Chapter 7020. OAH Docket No. 6-2200-12162-1

Dear Commissioner Studders:

Enclosed please find the Order of the Chief Administrative Law Judge in the above-entitled matter. The Chief Administrative Law Judge has determined that your agency has cured the defects found in the Report of the Administrative Law Judge, dated May 9, 2000.

In addition to the rule changes made to cure the defects found in the Administrative Law Judge's Report, the legislature has also required that the Pollution Control Agency make certain rule changes. The changes required are set forth in Laws of Minnesota 2000, Chapter 435. Specifically, this law states that the agency must "amend the proposed permanent rules relating to animal feedlots and storage, transportation, and utilization of manure, published in the State Register, volume 24, number 25, pages 848 to 884, December 20, 1999." This law allows the Pollution Control Agency to adopt the legislative rule changes under Minnesota Statutes, Section 14.388, Good Cause Exemption. This letter also serves to inform you that the adoption of the rule changes required under Chapter 435 have been approved as to legality on August 21, 2000, under Minnesota Statutes, Sections 14.386 (a) and 14.388 (3).

With the approval of the rules, our office has closed this file and will be returning the rule record to you within a few days so that your agency can maintain the official rulemaking record in this matter as required by Minnesota Statutes, Section 14.365. The agency may now proceed to adopt the rules under the procedures set forth in Minnesota Statutes, Sections 14.16, subdivision 3, 14.386 (a), and Minnesota Rules, Parts 1400.2240, subpart 10, 1400.2400, subpart 4.

Sincerely,

ALLAN W. KLEIN
Administrative Law Judge
Telephone: (612) 341-7609

AWK/lr
Enclosures
cc: Office of the Revisor of Statutes