



Air quality regulations: The year in review

Topics for today

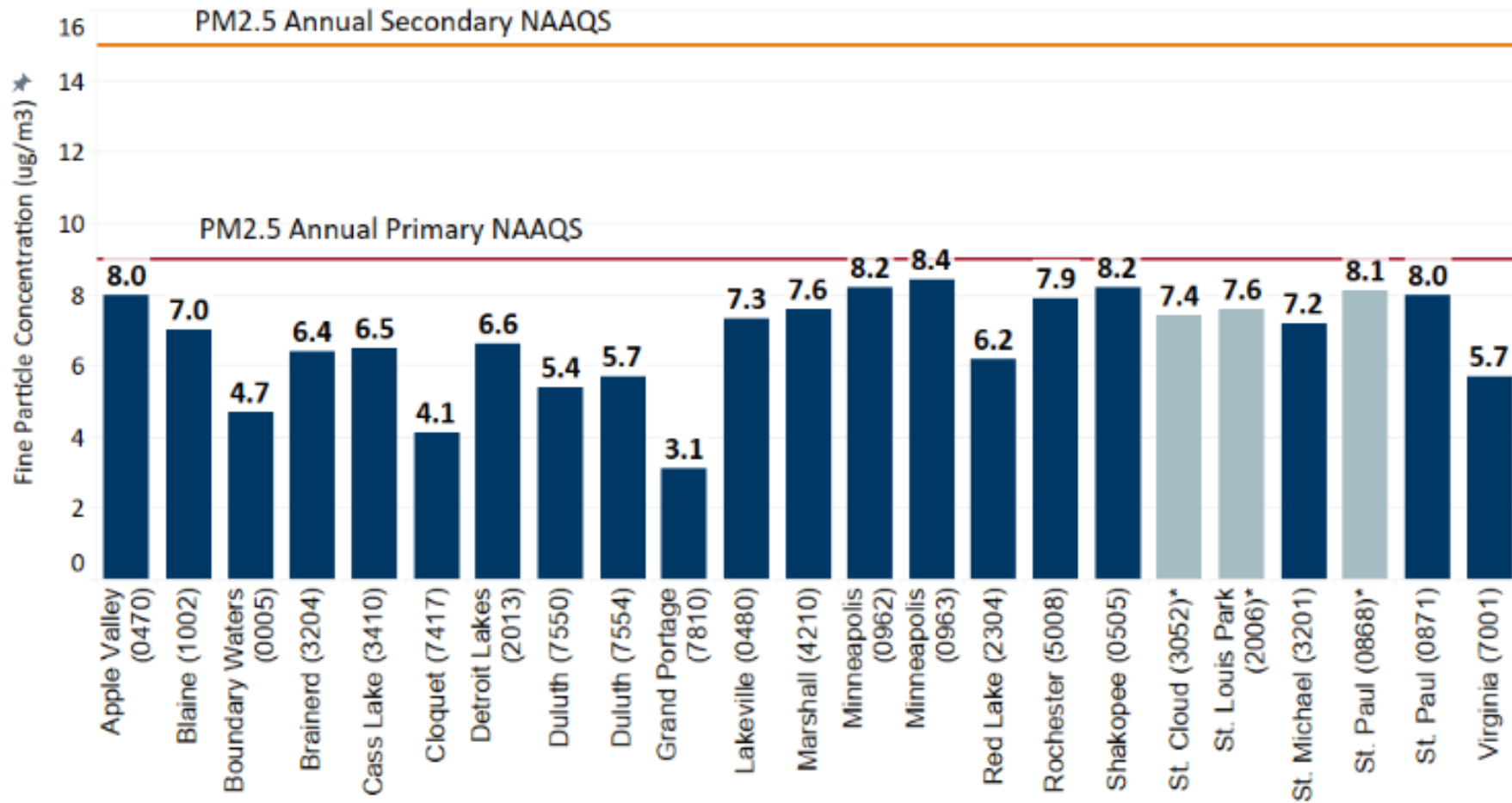
- Minnesota air quality
- Federal landscape
- State initiatives and rulemakings
- Questions and discussion





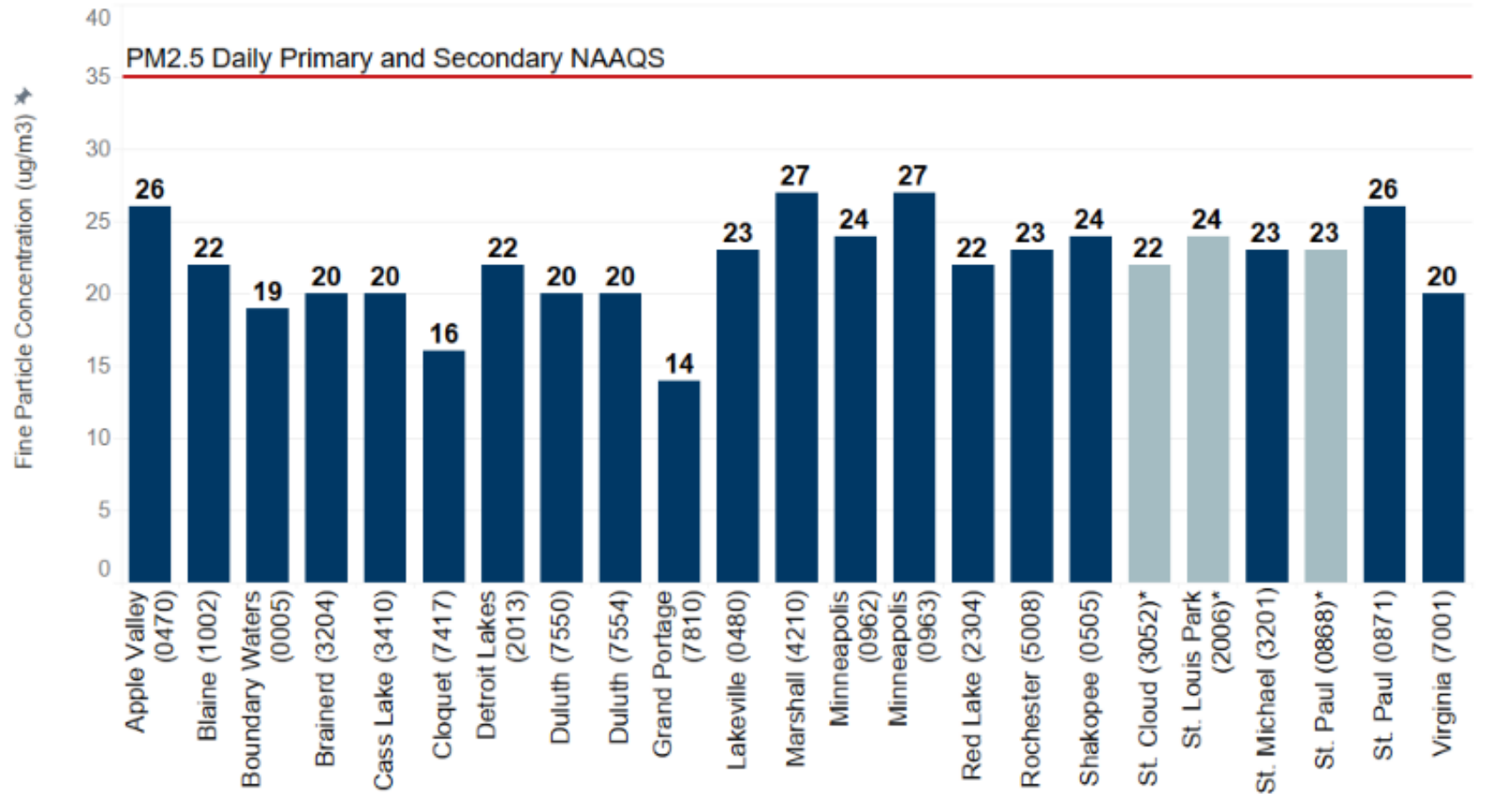
Minnesota air quality

Fine particles compared to annual standard, 2022-2024



*Site did not meet data completeness criteria

Fine particles compared to daily standard, 2022-2024

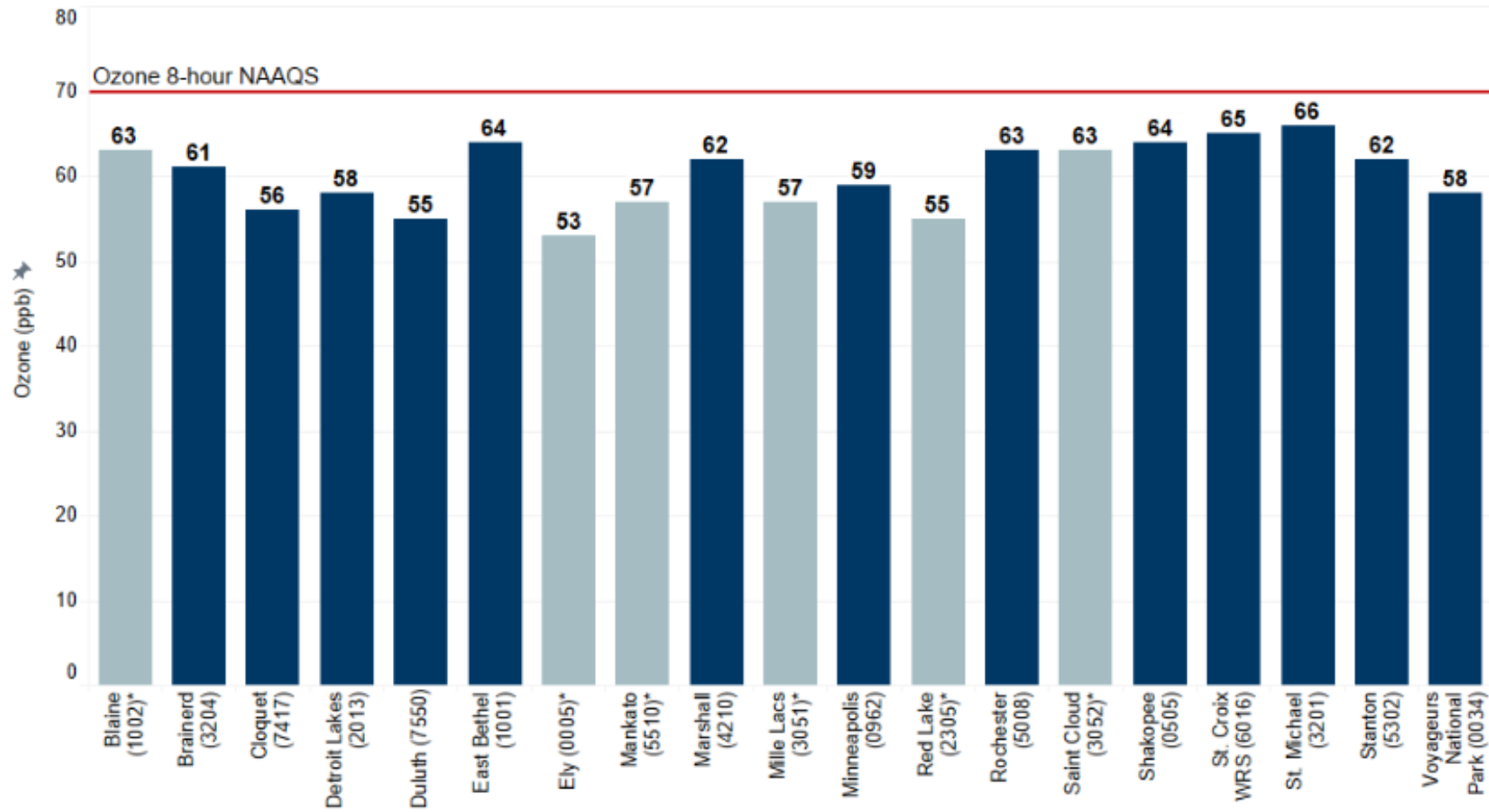


*Site did not meet data completeness criteria

PM_{2.5} NAAQS designation recommendations

- Submitted our recommendations in January 2025
- Does not include areas under Tribal jurisdiction
 - Tribal governments may submit their own recommendations to EPA
- No sites in Minnesota exceeded the 2024 annual PM^{2.5} NAAQS in the 2021-2023 monitoring period
 - Note this is different than the data shown on the previous slide

Ozone compared to daily standard, 2022-2024



*Site did not meet data completeness criteria



Federal landscape

Federal actions - Unified regulatory and deregulatory agenda

The screenshot shows the RegInfo.gov website header with the following text: "OFFICE of INFORMATION and REGULATORY AFFAIRS", "OFFICE of MANAGEMENT and BUDGET", "EXECUTIVE OFFICE of the PRESIDENT", "U.S. General Services Administration", and "GSA". The main content area is titled "Spring 2025 Unified Agenda of Regulatory and Deregulatory Actions". Below the title, there are two paragraphs of text. The first paragraph states: "The Trump Administration's Unified Agenda of Regulatory and Deregulatory Actions (Agenda) reports on the actions administrative agencies plan to issue in the near and long term. Released by the Office of Information and Regulatory Affairs, the Agenda provides important public notice and transparency about proposed regulatory and deregulatory actions within the Executive Branch." The second paragraph states: "The Regulatory Information Service Center (RISC) was created in June 1981. The Center undertakes projects that will facilitate development of and access to information about Federal regulatory and deregulatory activities. The Center's principal publication is the Unified Agenda in coordination with the Office of Information and Regulatory Affairs. Since 1978, Federal agencies have been required by Executive orders to publish agendas of regulatory and deregulatory activities. RegInfo.gov displays editions of the Unified Agenda of Federal Regulatory and Deregulatory Actions beginning with fall 1995." Below the text, there is a section titled "Spring 2025 Unified Agenda of Regulatory and Deregulatory Actions" and "Active Regulatory Actions Listed by Agency". This section includes a dropdown menu labeled "Select Agency" and a "Submit" button. A note below the dropdown reads: "(Only agencies with information relevant to this report appear in the list.)"

- Updated twice a year
- Several air announcements
 - 2 pre-rule
 - 33 different proposed rules
 - 23 different final rules
- Nearly half of the actions are either reconsiderations or repeals/revocations

Highlighting a few items

- Revisiting the PM NAAQS (again)
- Planning for revisions to the Regional Haze Rules
- Reconsidering the Greenhouse Gas Reporting Program (original and all revisions)
- Ozone NAAQS, Ozone Transport FIP, and disapproval of Ozone SIPs
- Clean Air Act section 112 - presidential exemptions
 - March 2025 - EPA requested that facilities submit information while they reconsidered rules for 9 source categories
 - <https://www.whitehouse.gov/presidential-actions/proclamations/>



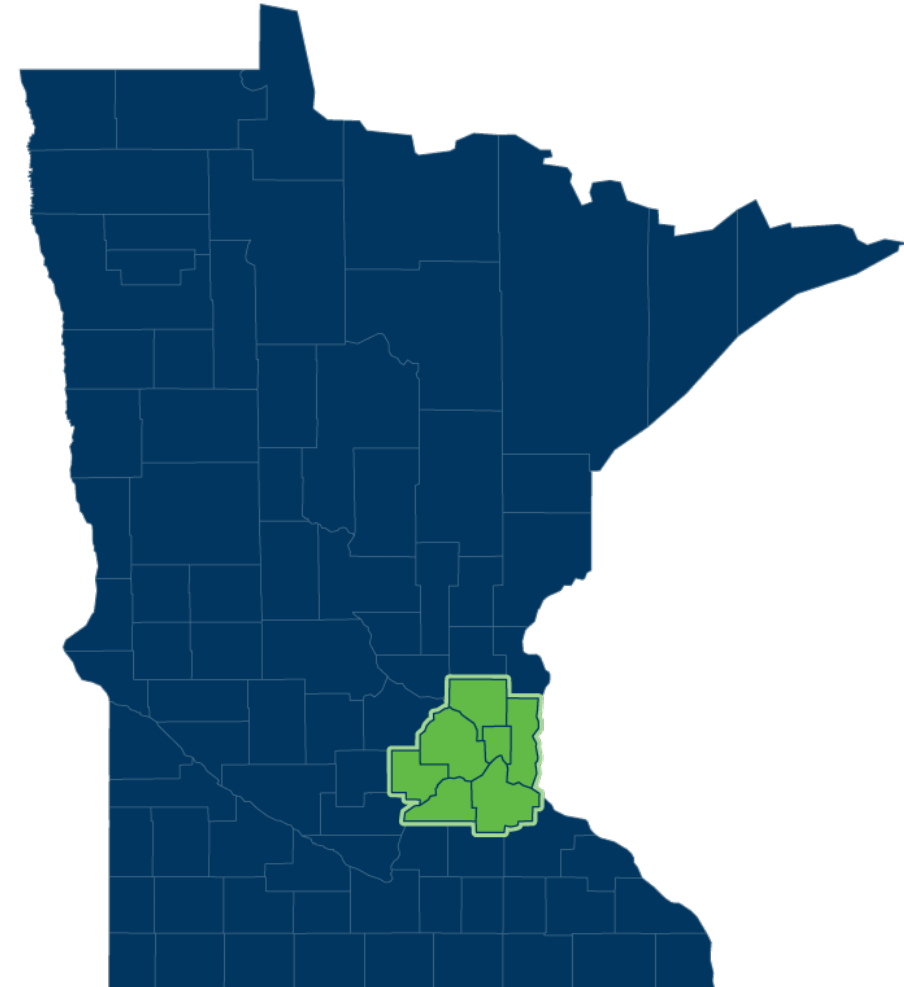
State initiatives and rulemakings

Just a few rules...

- 2023 legislative session gave us
 - Air toxics emissions reporting rule
 - Air toxics regulations rule
 - Cumulative impacts rule
 - Odor management rule
- Proposed rules webpage
 - <https://www.pca.state.mn.us/get-engaged/proposed-rules>
 - Identifies current rulemaking projects, including the Public Rulemaking Docket
 - [Receive email updates about rules of interest](#)

Air toxics emissions reporting rule

- Final rule adopted October 6, 2025
- Annual air toxics emissions reporting for air permitted facilities in seven metropolitan counties (except registration option B)
- Air toxics to be reported in MN Rule 7019.3110, include:
 - Hazardous air pollutants (HAPs);
 - PFAS included on EPA's Toxic Release Inventory List (TRI), measured by stack test methods OTM-45 and OTM-50, previously reported by facilities to MPCA, and Bisphenol AF (CAS: 1478-61-1);
 - Additional air toxics of concern
- More information on this rulemaking is available at [MPCA's Air Toxics Emissions Reporting Webpage](#).



Start tracking soon!



- 2026 is first reporting year, due April 1, 2027.
- Facilities subject to air toxics reporting must begin tracking air toxics starting January 1, 2026.
- Air Emissions Inventory guidance is here: [Air emission reporting and fees | Minnesota Pollution Control Agency.](#)
- List of air toxics to be reported and guidance for reporting is available here: [Pollutant categories for air toxics | Minnesota Pollution Control Agency.](#)
- MPCA is planning to develop additional air toxics reporting guidance.

Air toxics regulations rule

Our legislative directive

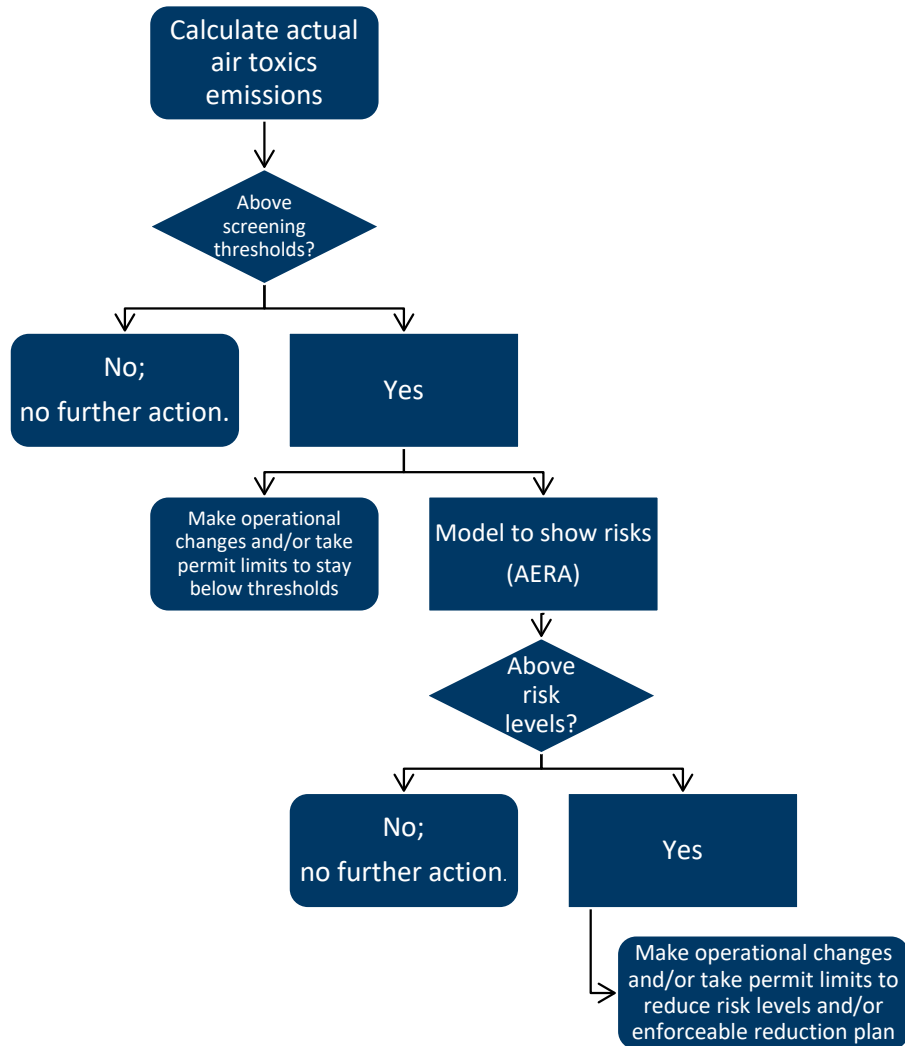
The commissioner must establish testing, monitoring, reporting, record-keeping, and inspection requirements that reflect the risks posed by specific air toxics, the facility's compliance history, and the exposure of environmental justice residents.



660+ facilities in the Twin Cities metro area may be regulated under the new rules.

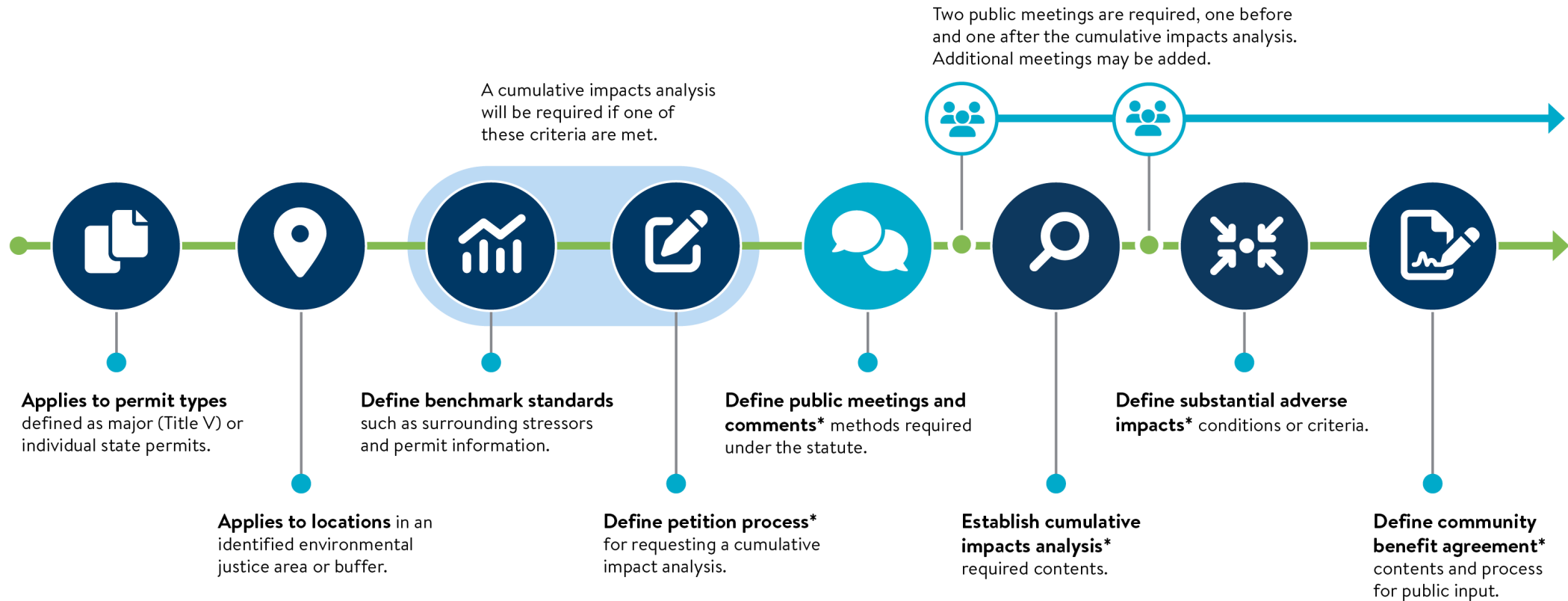


General overview



- Conceptual framework
- Generally, outlines how we're looking to structure the air toxics rules.
- Structure is similar to rules from other states.
- Does not include all the details, like where there may be exemptions.

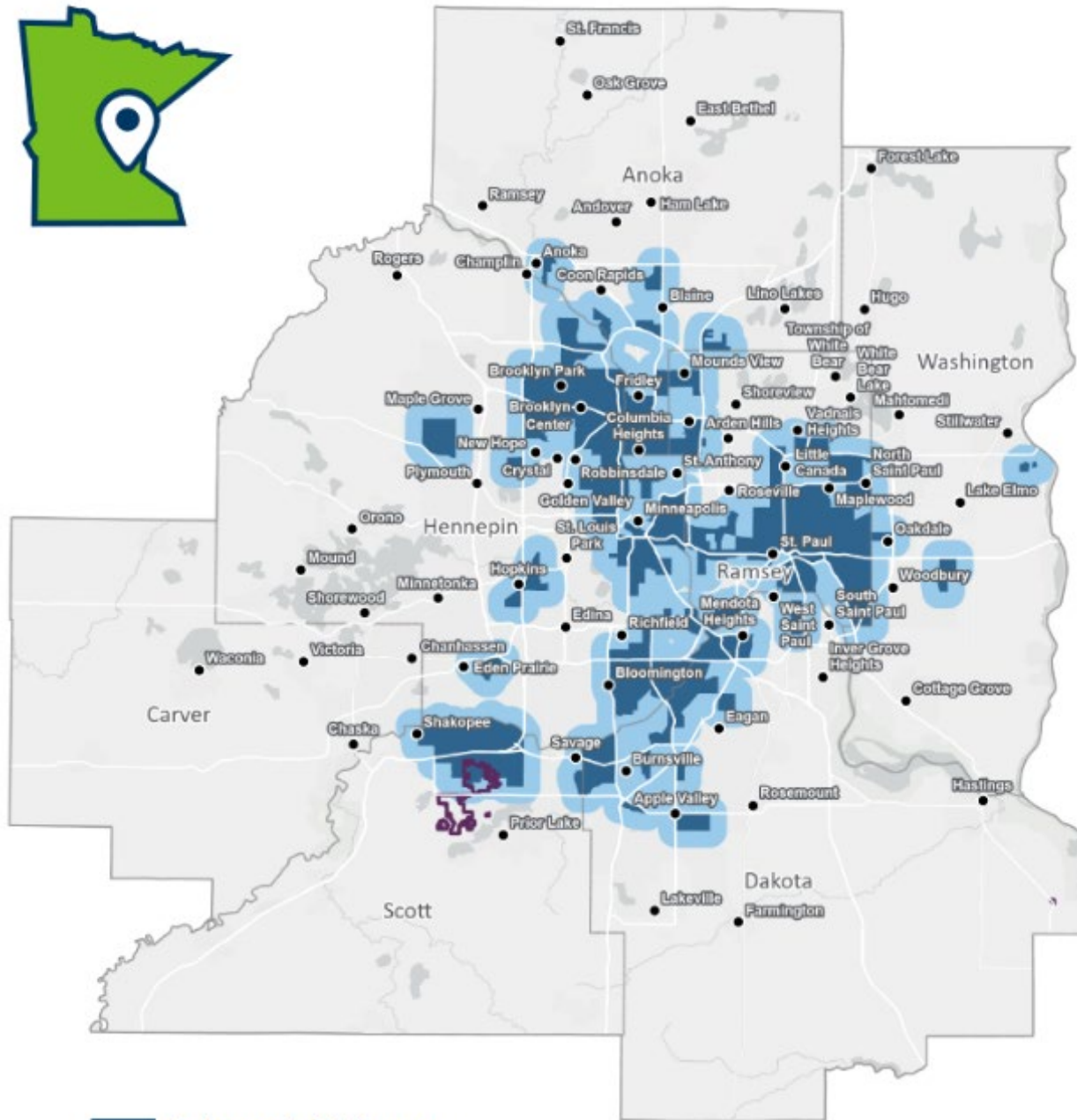
Cumulative impacts rule



* To be defined in rule

Applicability

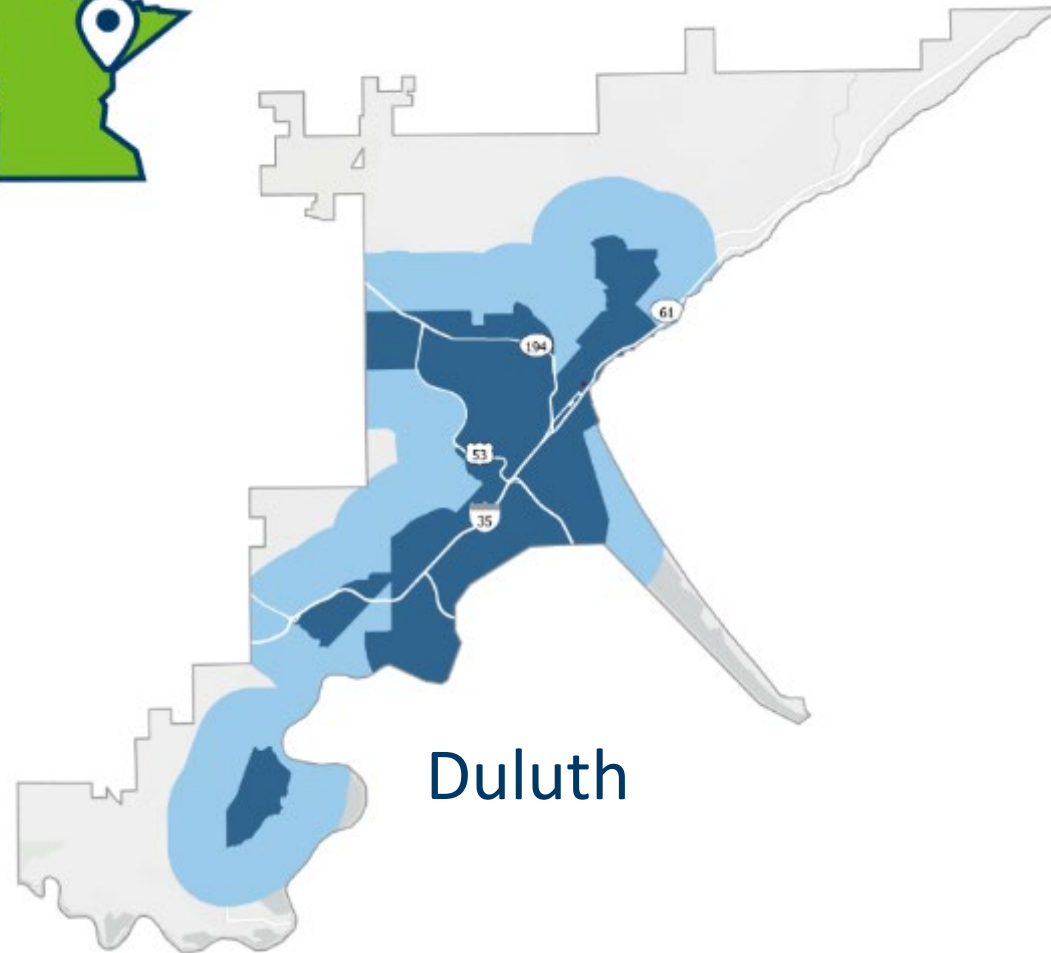
- Applies in environmental justice areas with a one-mile buffer
 - Twin Cities seven-county metro; or
 - A city of the first class (Rochester and Duluth)
- Applies to Major (Title V) and State permit applications
 - Only for air permit applications
 - Includes new facilities, facility expansions, and reissuing a permit for an existing facility
- [Facilities that may be affected by Minnesota's new cumulative impacts law \(aq-rule2-25f\)](#)



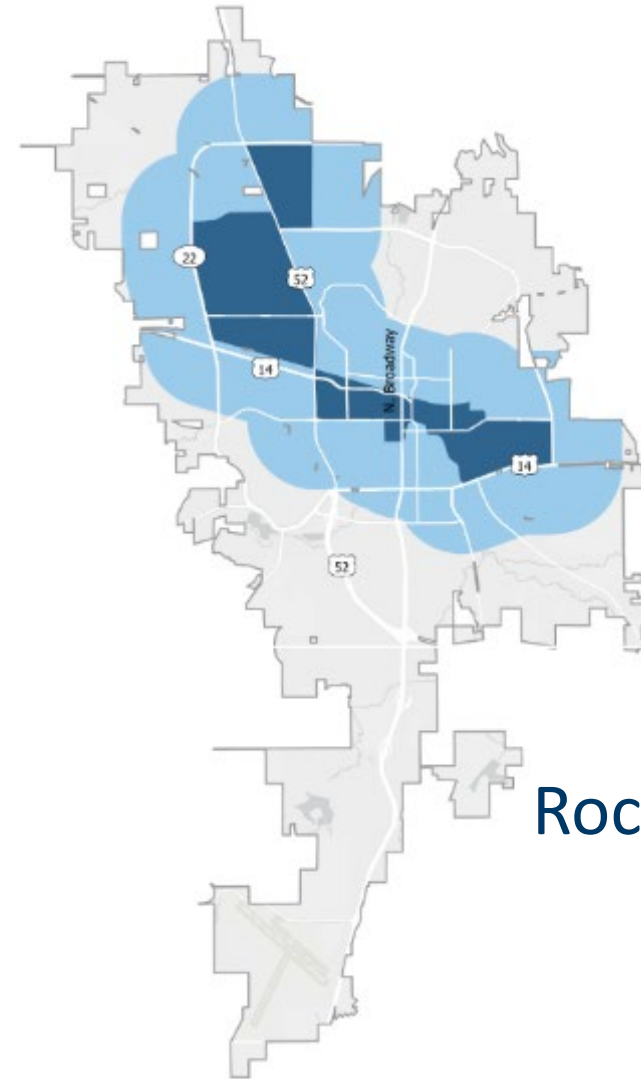
- Environmental justice areas
- One mile buffer
- Tribal land

Environmental justice areas in the Twin Cities seven-county metro

Environmental justice areas in Duluth and Rochester

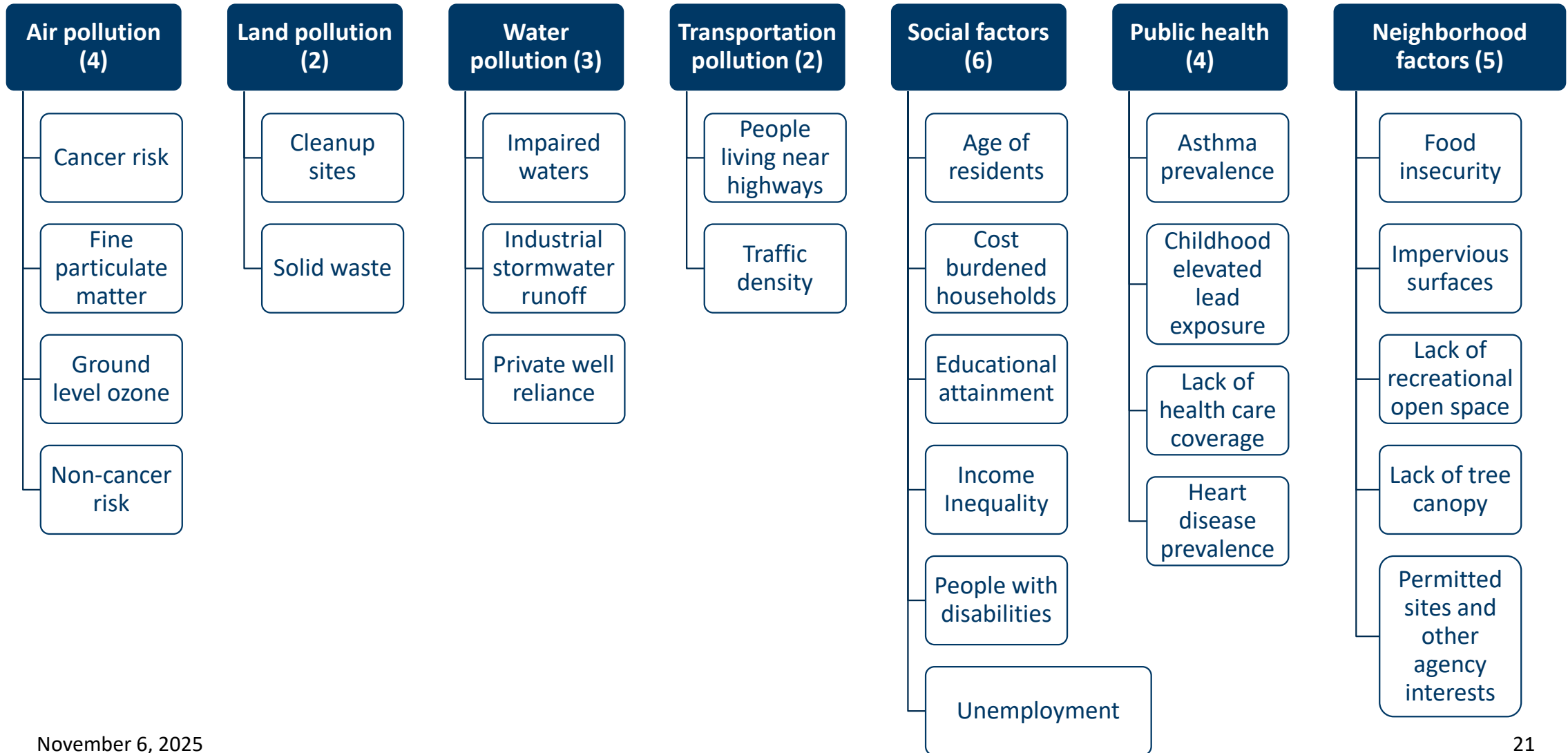


- Environmental justice areas
- One mile buffer
- Tribal land
- Duluth city limits



- Environmental justice areas
- One mile buffer
- Rochester city limits

Environmental stressors



Mandatory vs. discretionary

- Mandatory cumulative impacts analysis (CI Analysis)
 - Facility is above benchmarks established in rule; or
 - MPCA determines issuing the permit may substantially impact the environment/health
- Discretionary cumulative impacts analysis
 - MPCA determines a CI analysis is necessary and supported by material evidence; or
 - A petition is supported by material evidence that demonstrates a potential adverse cumulative impact
- Rules need to be able to account for unique circumstances

CI Analysis evaluation and substantial adverse impacts

- Enough to get at the cross-media aspects (air, water, and land) and the health/environmental aspects in the statutory language
 - Baseline information (always included)
 - Supplemental information (sometimes included)
- Need to define the conditions, criteria, or circumstances that establish an environmental/health impact as a substantial adverse impact
 - MPCA must consider the CI Analysis, comments/responses, stressors present, socioeconomic impact of the facility, other information

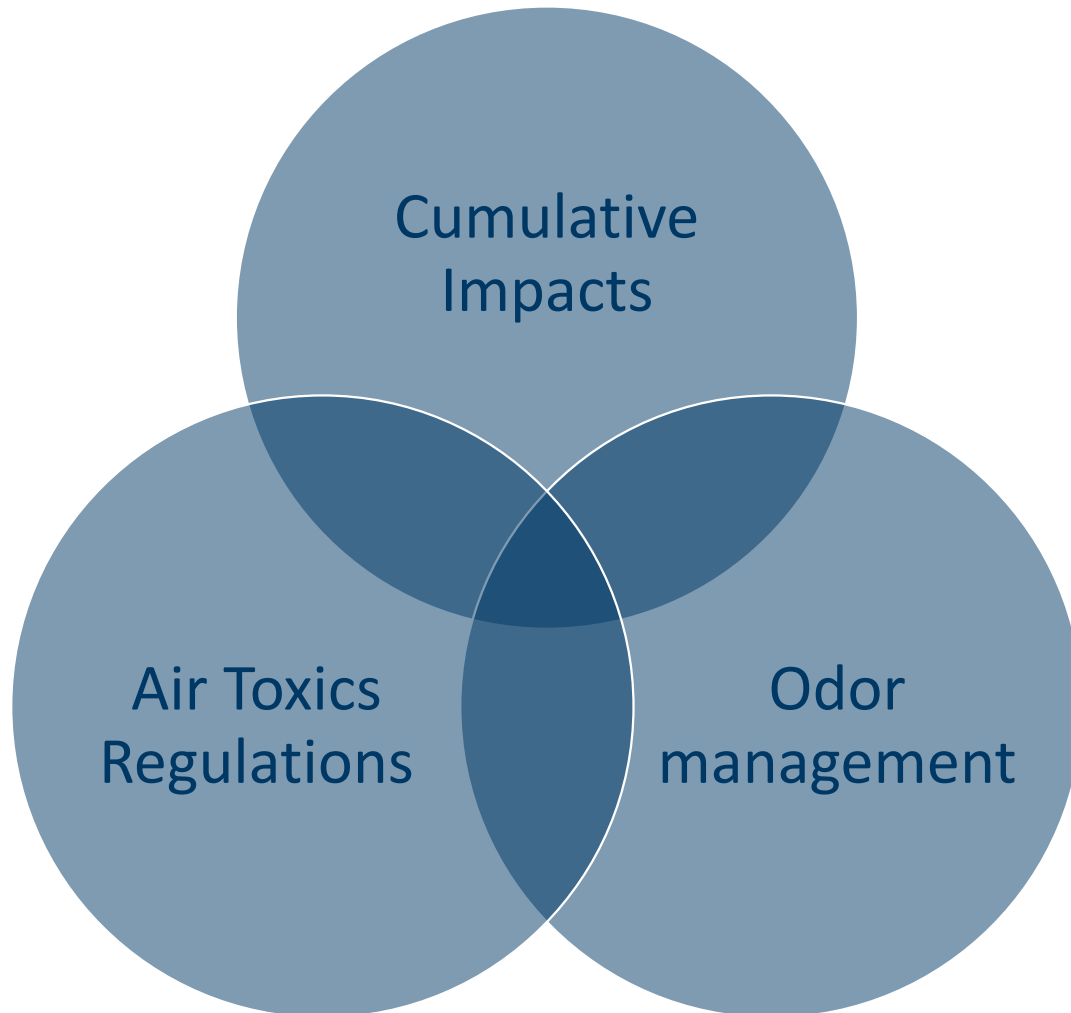
Permit decisions and addressing impacts

- Permit must be denied if there are substantial adverse impacts, unless the facility enters into a community benefit agreement with MPCA
- MPCA is responsible for the final review and decision on whether issuing a permit would have a substantial adverse impact
 - Need to be able to account for the unique considerations dependent on the location and specific impacts of the facility
 - Evaluate, and potentially require, conditions on construction/operation of the facility based on technical evaluations included (e.g., modeling, risk, control measures, etc.)

Community benefit agreements, briefly

- First examine measures at the facility to avoid a substantial adverse impact
- Provide benefits other than or in addition to economic benefits (e.g., health, environmental, and social benefits)
- Identify categories of benefits that could be included in a CBA
 - Address the impacts identified in the CI Analysis
 - Address the benefits suggested/supported by residents of the EJ area
 - Priority given to considerations that directly impact residents of the EJ area

Odor management rule



What MPCA must develop

Standards

for odors or air pollution that could be an objectionable odor

Processes

for determining if an odor is objectionable and investigating/addressing complaints

Guidance

on what must be considered and included in a facility's odor management plan

Criteria

for determining the success or failure of odor management plan

Odor management timeline



Rule comparisons

	<i>Where the rule applies:</i>			<i>Who the rule applies to:</i>				<i>When:</i>	
Rule	7-county metro area?	Duluth, Rochester, Indian Country	Environmental Justice areas only?	Individual permit holders?	Capped permit holders?	Registration permit holders?	More than permitted facilities?	Rulemaking timeline	Modifying permits timeline
Air Toxics Reporting	✓			✓	✓	✓		18 months	No timeline in statute
Air Toxics Regulation	✓			✓	✓	✓	?	36 months	Within 3 years after adopting rules
Cumulative Impacts	✓	✓	✓	✓				36 months	No timeline in statute
Odor	✓			✓	✓	✓	✓	No timeline in statute	No timeline in statute

Stay informed and get involved!



www.pca.state.mn.us



www.pca.state.mn.us/govdelivery



<https://www.airnow.gov/airnow-mobile-app/>



Keep up with us on social media, too!

Questions?

Thank you!

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November 6, 2025

