

November 25, 2019

Via email to: [vrichter@nd.gov](mailto:vrichter@nd.gov)

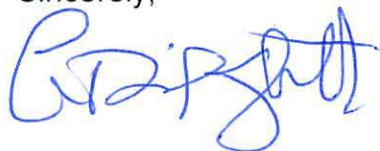
Ms. Vonette Richter  
Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2<sup>nd</sup> Floor  
Bismarck, ND 58505-0360

Re: Notice of Intent to Adopt Administrative Rules  
North Dakota Department of Environmental Quality

Dear Ms. Richter;

The Notice of Intent to Adopt Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,



L. David Glatt, P.E.  
Director

Enclosures

## NOTICE OF INTENT TO ADOPT ADMINISTRATIVE RULES

TAKE NOTICE the North Dakota Department of Environmental Quality ("Department"), will hold a public hearing to address several proposed new articles to be located in Department of Environmental Quality, N.D. Admin. Code Title 33.1, on February 6, 2020 at the Environmental Training Center, 2639 East Main Avenue, Bismarck, ND.

The following shall be the hearing times: Article 33.1-12 at 10:30 a.m. to 11:30 a.m., Article 33.1-14 at 1 p.m. to 2 p.m., and Article 33.1-23 at 2:15 to 3:15 p.m. Articles 33.1-12 and 33.1-14 proposed rules are expected to have an impact on the regulated community in excess of \$50,000. Article 33.1-23 proposed rules are not expected to have an impact on the regulated community in excess of \$50,000. Some of the rules and other documents that are the subject of this public notice will be submitted to the United States Environmental Protection Agency (U.S. EPA).

The purpose of the proposed articles is to implement S.L. 2019, ch. 24 (H.B. 1024), moving the Boiler Inspection program to the Department from the Insurance Department; to implement S.L. 2019, ch. 24 (H.B. 1024), moving the Petroleum Tank Release Compensation Fund to the Department from the Insurance Department; and to implement S.L. 2019, ch. 217 (S.B. 2107) establishing and administering the Department's certification program for environmental laboratories.

In this rulemaking, the Department is proposing to adopt:

- Article 33.1-12, relating to petroleum tank release compensation fund
- Article 33.1-14, relating to boiler rules
- Article 33.1-23, relating to environmental laboratory certification program rules

The proposed rules may be reviewed at the Department, 918 East Divide Ave. Bismarck, ND 58501-1947 or on the Department's website at [deq.nd.gov/PublicNotice.aspx](http://deq.nd.gov/PublicNotice.aspx). A copy of the proposed rules may be obtained by writing to the above address or by calling 701.328.5150. The proposed rules and additional related information are also available on the Department of Environmental Quality website at [deq.nd.gov/PublicNotice.aspx](http://deq.nd.gov/PublicNotice.aspx). Written or oral comments on the proposed rules sent to the above address, email or telephone number and received by February 18, 2020 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Department at the above telephone number or address at least two days prior to the public hearing.

Dated this 25<sup>th</sup> day of November, 2019.



L. David Glatt, P.E.  
Director  
North Dakota Department of Environmental Quality