

February 1, 2024

Via email to: [lfordahl@ndlegis.gov](mailto:lfordahl@ndlegis.gov)

Ms. Liz Fordahl  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Fordahl:

The Full Notice of Intent to Adopt and Amend Administrative Rules Relating to Solid Waste Management and Land Protection and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,



Diana A. Trussell, Manager  
Solid Waste Program  
Division of Waste Management

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Enclosures

**FULL NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES  
RELATING TO SOLID WASTE MANAGEMENT AND LAND PROTECTION**

TAKE NOTICE that the North Dakota Department of Environmental Quality will hold a public hearing to address proposed new and amendments to N.D. Admin. Code art. 33.1-20 at the following time and location:

**2nd Floor Conference Room  
North Dakota Department of Environmental Quality  
4201 Normandy Street, Bismarck, ND 58503  
March 20, 2024  
6:00pm Central Time**

The purpose of the proposed rule and amendment is to implement regulations for solid waste pilot projects and for the transferring of permits for solid waste management facilities and solid waste transporters; amend regulations to adopt rules from the federal program for coal combustion residuals; amend regulations related to the disposal of wind turbine blades, public notice requirements, the certification of closure for inert landfills, financial assurance requirements, solid waste management fees and certification of operators; and provide various corrections and clarifications to existing solid waste management rules. The solid waste management rules specific to coal combustion residuals will be submitted to the United States Environmental Protection Agency for approval of the state coal combustion residuals program.

The proposed rule and amendment are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking also implements House Bill 1089, enacted during the most recent legislative session, concerning the adoption of rules to establish standards and requirements for solid waste pilot projects and the transferring of permits for solid waste management facilities and solid waste transporters. The proposed rulemaking also implements House Bill 1090, enacted during the most recent legislative session, concerning the definition of groundwater and the disposal of wind turbine blades.

The proposed rules may be reviewed at the office of the North Dakota Department of Environmental Quality, 4201 Normandy Street, Bismarck, ND 58503. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address, [solidwaste@nd.gov](mailto:solidwaste@nd.gov) or calling 701-328-5166. The proposed rules and additional

related information are also available on the North Dakota Department of Environmental Quality website at <https://deq.nd.gov/PublicNotice.aspx>. Written or oral comments on the proposed rules sent to the above address or telephone number and received by April 5, 2024 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability or need language interpretation for limited English proficiency, please contact the North Dakota Department of Environmental Quality at the above telephone number or address at least two (2) days prior to the public hearing.

There will be real time public streaming of the public hearing through a Microsoft Teams meeting. No testimony will be accepted through the Microsoft Teams meeting. Information concerning listening access by telephone or through Microsoft Teams can be obtained by calling 701-328-5166 or can be found on the Departments website at: <https://deq.nd.gov/PublicNotice.aspx>.

Dated this 31<sup>st</sup> day of January, 2024.



Charles R. Hyatt, Director  
Division of Waste Management  
North Dakota Department of Environmental Quality