

August 15, 2025

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 Notice of Intent to Adopt and Amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1). The notice and proposed rules have also been sent to the House Energy & Natural Resources Committee that introduced SB 1058 as required by N.D.C.C. § 28-32-10(2).

Sincerely,



Karl Rockeman, P.E.
Deputy Director, Department of Environmental Quality
Enclosures

**FULL NOTICE OF INTENT TO ADOPT ADMINISTRATIVE RULES
RELATING TO REGULATION OF ABOVEGROUND STORAGE TANKS AND AMEND
RULES RELATING RENEWAL UNDER PETROLEUM TANK RELEASE
COMPENSATION FUND**

TAKE NOTICE that the North Dakota Department of Environmental Quality ("Department") will hold a public hearing to address proposed new chapter to North Dakota Administrative Code (N.D. Admin. Code) article 33.1-13 and proposed amendments to North Dakota Administrative Code (N.D. Admin. Code) §§ 33.1-12-01-02 and 33.1-12-01-03 at the following time and location:

2nd Floor Conference Room
North Dakota Department of Environmental Quality
4201 Normandy St, Bismarck, ND 58503-1324
September 19, 2025
10:00 AM CST

The purpose of the proposed rules N.D. Admin. Code article 33.1-13 is to adopt regulations for aboveground storage tanks.

The proposed rules in N.D. Admin. Code article 33.1-13 are expected to have an impact on the regulated community in excess of \$50,000.

The purpose of the proposed amendments to N.D. Admin. Code §§ 33.1-12-01-02 and 33.1-12-01-03 is to change the registration date for the Petroleum Tank Release Compensation Fund (PTRCF), change the base registration fee language and increase the upper limit for the PTRCF balance, and make additional language corrections.

The proposed amendments to N.D. Admin. Code §§ 33.1-12-01-02 and 33.1-12-01-03 are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rulemaking implements HB 1058, enacted during the most recent legislative session, concerning aboveground storage tanks and setting PTRCF registration dates in rules.

The proposed rules may be reviewed at the Department's office located at 4201 Normandy St, Bismarck, ND 58503-1324 or on the Department's website at: <https://deq.nd.gov/PublicNotice.aspx>. A copy of the proposed rules may be requested by writing to the North Dakota Department of Environmental Quality, Deputy Director, at the above address or calling (701) 328-5210. Written comments on the proposed rules sent to the above mailing address or by email to deqptrcf@nd.gov and received by September 30, 2025, 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 address or telephone number below at least two days prior to the public hearing. The Department will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written material necessary to access programs and information. Language assistance services are available free of charge to

you. To request accommodations or language assistance, contact the Department's Non-discrimination/EJ Coordinator at (701) 328-5150 or deqEJ@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888

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) 328-5150 or can be found on the Department's website at: <https://deq.nd.gov/PublicNotice.aspx>.

Dated this 18 day of August 2025.

A handwritten signature in blue ink, appearing to read 'Karl Rockeman', with a long horizontal flourish extending to the right.

Karl Rockeman, P. E.
Deputy Director
Department of Environmental Quality