

Notice of Intent to Repeal Obsolete Rules

Minnesota Department of Health

Environmental Health Division

Proposed Repeal of Obsolete Rules Relating to Health Risk Values, *Minnesota Rules*, 4717.8000 to 4717.8600; Revisor's ID Number 4988; CAH Docket Number 45-9000-41962

4717.8000 Purpose and Scope.

4717.8050 Definitions.

4717.8100 Table of Chronic HRVs.

4717.8150 Table of Subchronic HRVs.

4717.8200 Table of Acute HRVs.

4717.8250 Table of mHRVs for Multimedia Exposure to Air Toxics

4717.8300 Equations of Calculations of HRVs for Noncarcinogenic Effects of Toxicants

4717.8350 Equation for Calculation of mHRVs for Noncarcinogenic Effects of Toxicants.

4717.8400 Equation for Calculation of HRVs for Carcinogens.

4717.8450 Equation for Calculation of mHRVs for Carcinogens.

4717.8500 Equations for Calculation of HRVs for Acute Toxicity.

4717.8550 Procedure for Determining Cancer Index for Simultaneous Exposure to Multiple Carcinogens.

4717.8600 Procedure for Determining Hazard Index for Assessing Simultaneous Exposure to Multiple Toxicants with Noncarcinogenic Effects.

Introduction. The Minnesota Department of Health intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on Monday, December 21, 2026.**

Subject of Rules. The proposed obsolete rules are the 2002 Health Risk Values (HRVs) – Minnesota Rules 4717.8000 to 4717.8600 – for chemicals in ambient air. These values were meant to help evaluate potential health risks from air pollution. The HRVs have not been updated with current methods or toxicological data. MDH is no longer recommending the use of

the HRVs, and in some cases, newer air guidance values have been developed. The existence of outdated values in rule complicates MDH's ability to provide the most up-to-date guidance available.

Statutory Authority. The department identified the proposed obsolete rules to be repealed in its annual obsolete rules report under Minnesota Statutes section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in Minnesota Statutes, section 14.3895. The initial statutory authority under which these rules were created is found in Minnesota Statutes, section 144.12(13) *Regulation, Enforcement, License, Fees* which gives the Commissioner of the Department of Health the authority to make rules “*for the preservation of public health [including for]...atmospheric pollution which may be injurious or detrimental to public health[.]*.”

Publication of Proposed Rules. A copy of the proposed obsolete rules to be repealed will be published in the *State Register*. The proposed obsolete rules to be repealed may be viewed at: <https://www.health.state.mn.us/communities/environment/risk/rules/air.html>. A free copy of the rules is available upon request from the department contact person listed below.

Department Contact Person. The department contact person is Emily Hansen at Minnesota Department of Health, 625 N. Robert St. St. Paul, MN 55155, phone: 651-201-4602, fax: 651-201-4606, email: emily.hansen@state.mn.us. You may contact the department contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on Monday, December 21, 2026**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal.

Your comment must be in writing and received by the eComments website (see below) by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the department encourages you to participate in the rulemaking process.

Submit written comments via the [Court of Administrative Hearings Rulemaking eComments website \(https://mn.gov/oah/forms-and-filing/ecomments/\)](https://mn.gov/oah/forms-and-filing/ecomments/), or by U.S. Mail delivered to the Court of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, or by fax (651) 539-0310.

All comments or responses received are public data and will be available for review on the eComments website.

Request for Hearing. In addition to submitting comments, you may also request that the department hold a public hearing on the rules. You must make your request for a public hearing in writing, as described above for public comments, by **4:30 p.m. on Monday, December 21, 2026**. You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the department cannot count it for determining whether it must hold a public hearing.

Effect of Requests. If 25 or more people submit a written request, the department will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The department might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the department. If the final rules are identical to the rules originally published in the *State Register*, the department will publish a notice of adopting the repealer(s) in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the department must publish a copy of the changes in the *State Register*.

Repeal and Review of Obsolete Rules. If no hearing is required, the department may repeal the obsolete rules after the end of the comment period. The department will submit the rules and supporting documents to the Court of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the department to receive notice of future rule proceedings, submit your request to the department contact person listed above.

Date: September 18, 2026

/s/ Myra Kunas
Assistant Commissioner