

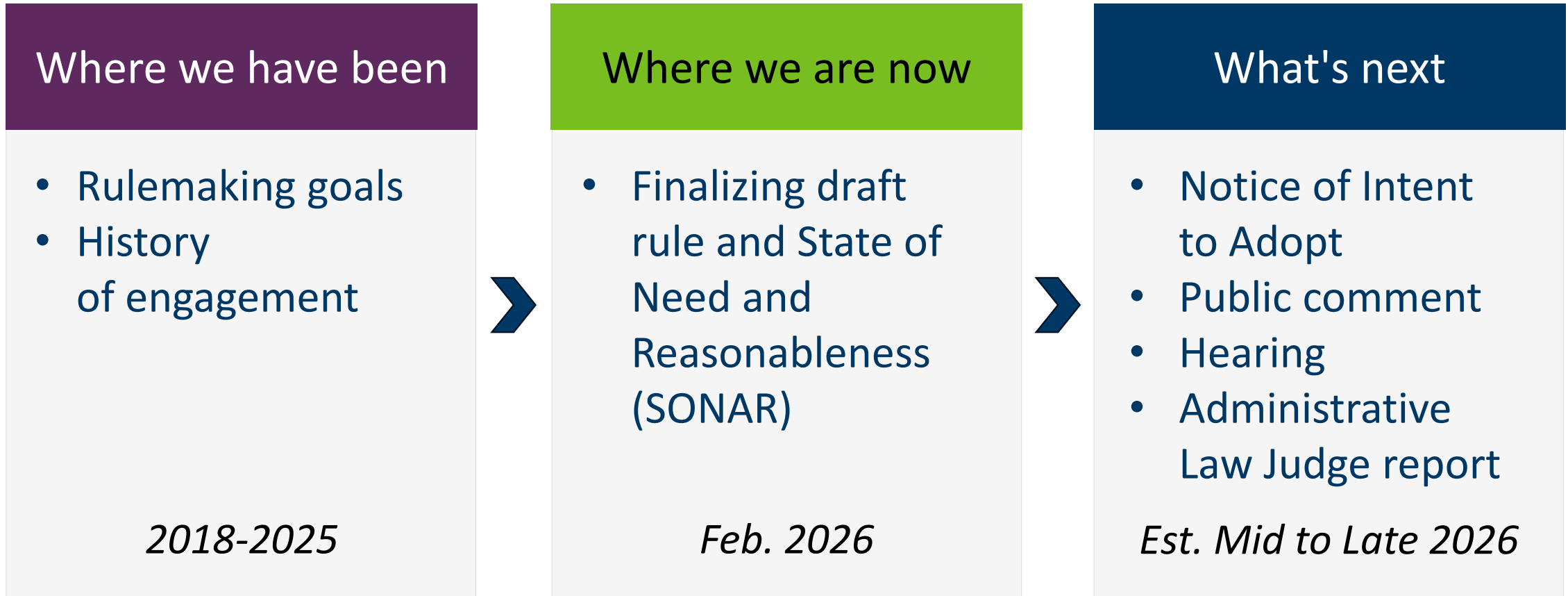


## Construction and Demolition Debris Landfills (C&D) Rulemaking Update

Jon Buck | Land Permits Unit Supervisor

February 2026

# Agenda: Walk Through the Rulemaking Process



A stack of papers and folders is shown on a wooden surface. The papers are slightly aged and some have green tabs. A dark blue rectangular overlay is positioned in the center, containing the text "Where we have been" in white, sans-serif font. The text is arranged in two lines: "Where we have" on the top line and "been" on the bottom line.

Where we have  
been

# C&D Rulemaking Goals

The goal of this rulemaking effort is to improve the current C&D landfill system by:

- Making changes to how facilities are designed, constructed, and managed by implementing standard landfill engineering practices
- Addressing negative groundwater impacts
- Managing construction and demolition materials in a more sustainable manner

# History of Engagement

- 2018: Public comment period
- 2019-2021: Rule Advisory Panel (RAP) discuss draft concepts
- 2023: RAP reconvened
- 2024: Stakeholder sessions
- 2025: Public comment period and three virtual informational meetings

A close-up photograph of a person's hands typing on a silver laptop keyboard. The scene is brightly lit, likely by natural light from a window in the background, which is out of focus, showing green foliage. A dark blue semi-transparent rectangular box is overlaid on the center of the image, containing the text "Where we are now" in white. The laptop screen on the left shows a blurred image of a person. In the foreground, there are some papers and a spiral notebook.

Where we are now

- Key rule concepts include:
  - Lined disposal requirement for any new capacity
  - Leachate collection
  - Postclosure & custodial care
  - Financial assurance for new, lined capacity
  - Transition period for existing facilities

# 2025 Request for Comment

- July 28 – Sept. 12, 2025
- Received 25 comment letters; Key topics:
  - Timeline
  - Cost
  - Service gaps/disposal options
  - Illegal disposal
  - Setback distances
  - Financial Assurance
  - Gas management
  - Definition consistency

# Draft Rule and SONAR

- Finalizing draft rule and State of Need and Reasonableness (SONAR)
- Visit the [CDL Rule Webpage](#) to review:
  - Rule concepts
  - RFC comment letters
  - Procedural rulemaking documents
  - Other resources



What's next

# What's Next in Rulemaking Process

- Notice of Intent to Adopt with a Hearing is published
- Public comment period opens (engagement opportunity)
- Hearing held followed by post-hearing comment period (engagement opportunity)
- Administrative Law Judge report is published
- Governor's office approval
- Notice of adoption (final rule) is published



# Engagement

# Writing an Effective Public Comment

Effective public comments:

- Identify the specific rule requirement that is problematic
- Share specific concerns with supporting information
- Provide alternative language with supporting discussion as to why the alternative is reasonable

Effective comments that include constructive, clear, and concise information can help refine the rule text

# Submitting Public Comments

- Currently, the MPCA uses eComments to accept public comments during the public comment period
- eComments is expected to be revamped sometime in 2026 to make it easier to submit comments
- Read the Notice of Intent to Adopt to familiarize yourself with how to submit your comments in case changes to eComments are implemented before we public notice
- Familiarize yourself with how to submit comments before the deadlines

# Important Takeaways

- Engage assigned permit staff for facility-specific questions
- Submit your public comments as indicated in the Notice of Intent to Adopt
  - The public comment period, hearing, and the post-hearing comment periods are the final engagement opportunities before the rule moves forward
- Sign up for GovDelivery updates on MPCA's CDL rulemaking webpage
- Check the C&D rule webpage for updates

## February 2026

- Finalizing draft rule and State of Need and Reasonableness (SONAR)



## Summer/Fall 2026?

- Notice of Intent to Adopt and Hearing published in State Register
- Hearing date TBD
- Read the Notice of Intent to Adopt for instructions on submitting comments
- Familiarize yourself with how to submit comments before the deadlines



## ~180 days after Administrative Law Judge report issued

- Notice of Adoption published in State Register
- Effective date of rule is five working days after State Register publication

Time for Questions

# Thank you

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