

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 2075**

(SENATE AUTHORS: CHAMBERLAIN, Wiger and Isaacson)

DATE	D-PG	OFFICIAL STATUS
03/07/2019	689	Introduction and first reading Referred to Environment and Natural Resources Policy and Legacy Finance
03/28/2019	1420a	Comm report: To pass as amended
	1421	Second reading
04/04/2019	2156	Rule 45-amend, subst. General Orders HF2276

1.1 A bill for an act

1.2 relating to environment; banning trichloroethylene in products and for use in

1.3 manufacturing processes; proposing coding for new law in Minnesota Statutes,

1.4 chapter 116.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [116.385] TRICHLOROETHYLENE; BAN.

1.7 Subdivision 1. **Definitions.** For the purposes of this section, "trichloroethylene" means

1.8 a chemical with the Chemical Abstract Services Registry.

1.9 Subd. 2. **Use ban.** (a) Beginning January 1, 2021, an owner or operator of a facility

1.10 required to have an air emissions permit issued by the Pollution Control Agency may not

1.11 use trichloroethylene at its permitted facility, including in any manufacturing, processing,

1.12 or cleaning processes. Cessation of use must be made enforceable in the air emissions permit

1.13 for the facility or in an enforceable agreement by January 1, 2021.

1.14 (b) If additional time is needed to assess replacement chemicals or address impacts to

1.15 facility operations, then by January 1, 2021, the commissioner may, at the commissioner's

1.16 discretion, include a schedule of compliance in the facility's permit or enforceable agreement

1.17 that requires compliance with this section before January 1, 2023. Owners or operators of

1.18 facilities requesting additional time under this subdivision must demonstrate compliance

1.19 with the health-based value for trichloroethylene, as established by the Department of Health.

1.20 (c) The commissioner may grant a variance under this section pursuant to section 116.07,

1.21 subdivision 5.

2.1 Subd. 3. **Replacement chemicals.** An owner or operator that must comply with this  
2.2 section must replace trichloroethylene with a chemical demonstrated to be less toxic to  
2.3 human health and approved by the commissioner of the Pollution Control Agency. If there  
2.4 is more than one less-toxic replacement chemical, then the commissioner may require the  
2.5 owner or operator to perform a feasibility study to determine the least toxic alternative.

2.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.