

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2496

02/27/2012 Authored by Anderson, B.,

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to environment; requiring local approval before issuance of state
1.3 disposal facility permit; amending Minnesota Statutes 2010, section 116.07,
1.4 subdivision 4j.
1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 116.07, subdivision 4j, is amended to read:

1.7 Subd. 4j. **Permits; solid waste facilities.** (a) The agency may not issue a permit
1.8 for new or additional capacity for a mixed municipal solid waste resource recovery or
1.9 disposal facility as defined in section 115A.03 unless each county using or projected in
1.10 the permit to use the facility has in place a solid waste management plan approved under
1.11 section 115A.46 or 473.803 and amended as required by section 115A.96, subdivision 6.
1.12 The agency shall issue the permit only if the capacity of the facility is consistent with the
1.13 needs for resource recovery or disposal capacity identified in the approved plan or plans.
1.14 Consistency must be determined by the Pollution Control Agency. Plans approved before
1.15 January 1, 1990, need not be revised if the capacity sought in the permit is consistent
1.16 with the approved plan or plans.

1.17 (b) The agency shall require as part of the permit application for a waste incineration
1.18 facility identification of preliminary plans for ash management and ash leachate treatment
1.19 or ash utilization. The permit issued by the agency must include requirements for ash
1.20 management and ash leachate treatment.

1.21 (c) Within 30 days of receipt by the agency of a permit application for a solid waste
1.22 facility, the commissioner shall notify the applicant in writing whether the application
1.23 is complete and if not, what items are needed to make it complete, and shall give an
1.24 estimate of the time it will take to process the application. Within 180 days of receipt of

2.1 a completed application, the agency shall approve, disapprove, or delay decision on the
2.2 application, with reasons for the delay, in writing.

2.3 (d) The agency may not issue a permit for a new disposal facility, as defined in
2.4 section 115A.03, subdivision 10, or a permit to expand an existing disposal facility until
2.5 all required local approval has been granted for the new or expanded facility.