

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 2636

(SENATE AUTHORS: MATHEWS, Ingebrigtsen, Rosen, Newman and Draheim)

DATE	D-PG	OFFICIAL STATUS
02/26/2018	6188	Introduction and first reading Referred to Environment and Natural Resources Policy and Legacy Finance

1.1 A bill for an act

1.2 relating to environment; prohibiting Pollution Control Agency from issuing

1.3 administrative penalty order to operator of publicly owned treatment works until

1.4 certain conditions have been satisfied; amending Minnesota Statutes 2016, section

1.5 116.072, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2016, section 116.072, is amended by adding a subdivision

1.8 to read:

1.9 Subd. 14. Treatment works penalty orders. To the extent allowable under federal law,

1.10 the commissioner must not issue an administrative penalty order to the operator of a publicly

1.11 owned treatment works for violating any new or modified effluent limitation adopted after

1.12 construction of the treatment works begins until both of the following conditions are satisfied:

1.13 (1) five years have elapsed since the commissioner issued the operator of the treatment

1.14 works a notice of violation or an alleged violation letter that describes the violation; and

1.15 (2) 100 percent of the money required to upgrade, modify, or replace the treatment works

1.16 facility in a manner that corrects the violation is available to the operator of the treatment

1.17 works through programs operated by the Public Facilities Authority, the federal government,

1.18 or other sources.

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