

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 2154

(SENATE AUTHORS: PEDERSON)

DATE	D-PG	OFFICIAL STATUS
03/01/2012	4071	Introduction and first reading Referred to Environment and Natural Resources

1.1

A bill for an act

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relating to environment; requiring local approval before issuance of state

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disposal facility permit; amending Minnesota Statutes 2010, section 116.07,

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subdivision 4j.

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

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

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Subd. 4j. **Permits; solid waste facilities.** (a) The agency may not issue a permit

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for new or additional capacity for a mixed municipal solid waste resource recovery or

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disposal facility as defined in section 115A.03 unless each county using or projected in

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the permit to use the facility has in place a solid waste management plan approved under

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section 115A.46 or 473.803 and amended as required by section 115A.96, subdivision 6.

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The agency shall issue the permit only if the capacity of the facility is consistent with the

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needs for resource recovery or disposal capacity identified in the approved plan or plans.

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Consistency must be determined by the Pollution Control Agency. Plans approved before

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January 1, 1990, need not be revised if the capacity sought in the permit is consistent

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with the approved plan or plans.

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(b) The agency shall require as part of the permit application for a waste incineration

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facility identification of preliminary plans for ash management and ash leachate treatment

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or ash utilization. The permit issued by the agency must include requirements for ash

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management and ash leachate treatment.

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(c) Within 30 days of receipt by the agency of a permit application for a solid waste

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facility, the commissioner shall notify the applicant in writing whether the application

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is complete and if not, what items are needed to make it complete, and shall give an

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estimate of the time it will take to process the application. Within 180 days of receipt of

S.F. No. 2154, as introduced - 87th Legislative Session (2011-2012) [12-4907]

- 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.