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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. **2577**

03/20/2025 Authored by Hansen, R.; Jordan; Lee, F., and Rehrauer
The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to agriculture; modifying agricultural waste handling regulations; requiring
- 1.3 record retention of sewage sludge transfers; amending Minnesota Statutes 2024,
- 1.4 sections 18C.111, subdivisions 2, 4, 5; 18C.135, subdivision 1, by adding a
- 1.5 subdivision; 18C.201, subdivisions 1, 5; 18C.61.
- 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7 Section 1. Minnesota Statutes 2024, section 18C.111, subdivision 2, is amended to read:
- 1.8 Subd. 2. **Delegation of duties.** The commissioner may delegate duties under this chapter
- 1.9 to designated employees or agents of the Department of Agriculture or cities of the first
- 1.10 class.
- 1.11 Sec. 2. Minnesota Statutes 2024, section 18C.111, subdivision 4, is amended to read:
- 1.12 Subd. 4. **Certification of regulatory compliance.** (a) The commissioner may, under
- 1.13 rules adopted under section 18C.121, subdivision 1, certify a person to offer or perform a
- 1.14 regulatory compliance inspection of any person or site that stores, handles, or distributes
- 1.15 ammonia or anhydrous ammonia fertilizer. ~~The deadlines established in section 14.125 are~~
- 1.16 ~~extended until June 30, 2014, for rules adopted under this subdivision.~~
- 1.17 (b) Pursuant to those rules, a person certified under paragraph (a) may issue a certification
- 1.18 of compliance to an inspected person or site if the certified person documents in writing
- 1.19 full compliance with the provisions of this chapter and rules adopted under this chapter.
- 1.20 (c) A person or site issued a certification of compliance must provide a copy of the
- 1.21 certification to the commissioner immediately upon request or within 90 days following
- 1.22 certification.

(d) Certifications of compliance are valid for a period of three years. The commissioner may determine a different time period in the interest of public safety or for other reasonable cause.

Sec. 3. Minnesota Statutes 2024, section 18C.111, subdivision 5, is amended to read:

Subd. 5. **Perfluoroalkyl and polyfluoroalkyl substances.** (a) The Department of Agriculture is the lead state agency for the regulation of fertilizer containing PFAS, including the storage, handling, distribution, use, and disposal of fertilizer containing PFAS. In order to reduce duplication, a distributor, registrant, or guarantor is not required to provide technical data to another state agency if the distributor, registrant, or guarantor has previously submitted the data to the commissioner and the data is available to the other state agencies.

(b) The commissioner may review the records of sewage sludge transfers under section 18C.135, subdivision 4, to investigate PFAS contamination or carry out any other duty in this chapter.

Sec. 4. Minnesota Statutes 2024, section 18C.135, subdivision 1, is amended to read:

Subdivision 1. **Sewage sludge without charge exempt.** Sewage sludge that is transferred between parties without compensation is exempt from the requirements of this chapter except the labeling and record retention requirements of this chapter.

Sec. 5. Minnesota Statutes 2024, section 18C.135, is amended by adding a subdivision to read:

Subd. 4. **Record retention.** Any party receiving or transferring sewage sludge must maintain a record of the transaction that includes the date, amount, and parties involved. Records under this subdivision must be made available to the commissioner upon request.

Sec. 6. Minnesota Statutes 2024, section 18C.201, subdivision 1, is amended to read:

Subdivision 1. **Storage, handling, distribution, or disposal.** A person may not store, handle, distribute, or dispose of a fertilizer, rinsate, fertilizer container, or fertilizer application equipment in a manner:

(1) that endangers humans, damages agricultural products, food, feed, livestock, ~~fish~~ aquatic life, or wildlife;

(2) that will cause unreasonable adverse effects on the environment; or

3.1 (3) that will cause contamination of public or other waters of the state, as defined in
3.2 section 103G.005, subdivisions 15 and 17, from backsiphoning or backflowing of fertilizers
3.3 through water wells or from the direct flowage of fertilizers.

3.4 Sec. 7. Minnesota Statutes 2024, section 18C.201, subdivision 5, is amended to read:

3.5 Subd. 5. **Fertilizer, rinsate, and container disposal.** A person may only dispose of
3.6 fertilizer, rinsate, and fertilizer containers in accordance with this chapter. The manner of
3.7 disposal must not cause unreasonable adverse effects on the environment. For the purposes
3.8 of this chapter, an open burn of fertilizer has an unreasonable adverse effect on the
3.9 environment.

3.10 Sec. 8. Minnesota Statutes 2024, section 18C.61, is amended to read:

3.11 **18C.61 FERTILIZER APPLICATION TO IMPERVIOUS SURFACE;**
3.12 **PROHIBITION.**

3.13 (a) A person may not apply a fertilizer, animal waste, or sewage sludge to an impervious
3.14 surface. Fertilizer, animal waste, or sewage sludge released on an impervious surface must
3.15 be immediately contained and either legally applied to turf or any other legal site or returned
3.16 to the original or other appropriate container.

3.17 (b) For the purposes of this section, "impervious surface" means a highway, street,
3.18 sidewalk, parking lot, driveway, or other material that prevents infiltration of water into the
3.19 soil.