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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 4070

03/21/2018 Authored by Fabian
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to environment; allowing counties interim permitting of existing demolition
1.3 debris land disposal facilities until permit issued by Pollution Control Agency
1.4 under revised rules; requiring a report.

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

1.6 Section 1. **DEMOLITION DEBRIS LANDFILLS; INTERIM COUNTY**
1.7 **PERMITTING.**

1.8 (a) Counties may issue a class I demolition land disposal facility permit under Minnesota
1.9 Statutes, section 400.16. The permit replaces any permits issued by the Pollution Control
1.10 Agency for the same facility until the Pollution Control Agency adopts revised rules for
1.11 demolition land disposal facilities and issues a permit based on the revised rules. In issuing
1.12 the permit, the county must consider environmental benefits and impacts, social and economic
1.13 factors, the feasibility and practicability of the permit conditions, and whether the burden
1.14 of any resulting tax or fee is deemed reasonable, feasible, or practicable. A county permit
1.15 issued under this section must be in accordance with Minnesota Rules, part 7035.2825, and
1.16 the Pollution Control Agency's Demolition Landfill Guidance (August 2005).

1.17 (b) The Pollution Control Agency must use existing appropriations to evaluate data on
1.18 groundwater quality from demolition debris land disposal facilities collected from a
1.19 monitoring program in accordance with the Pollution Control Agency's Demolition Landfill
1.20 Guidance (August 2005). Data on groundwater quality must be evaluated in reference to
1.21 and in accordance with the definition of pollutant as defined in Minnesota Statutes, section
1.22 103H.005, subdivision 11, based on the Department of Health's adopted health risk limits
1.23 and health risk values. Evaluation of pollutants by the agency must take into account
1.24 site-specific information that could indicate the pollutant concentrations are naturally

- 2.1 occurring or may be originating from other activities not associated with the permitted
- 2.2 demolition debris land disposal facility. By November 1, 2018, the agency must submit a
- 2.3 report of the evaluation to the legislative committees with jurisdiction over environment
- 2.4 and natural resources finance.
- 2.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.