

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 2307

(SENATE AUTHORS: CHAMBERLAIN, Wiger and Isaacson)

DATE	D-PG	OFFICIAL STATUS
03/11/2019	774	Introduction and first reading Referred to Environment and Natural Resources Finance
03/13/2019	815a	Comm report: To pass as amended and re-refer to Finance
03/20/2019	1058	Comm report: To pass
	1059	Second reading
05/02/2019	4210	Special Order
	4210	Third reading Passed

1.1 A bill for an act

1.2 relating to environment; providing for disposition of fines for certain

1.3 trichloroethylene emissions; creating an account; creating stakeholder group;

1.4 proposing coding for new law in Minnesota Statutes, chapter 115B.

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

1.6 Section 1. **[115B.55] TCE EMISSION RESPONSE ACCOUNT.**

1.7 Subdivision 1. **Definitions.** (a) For purposes of this section and section 115B.56, the

1.8 terms in this subdivision have the meanings given.

1.9 (b) "Settlement" means the stipulation agreement entered into on March 1, 2019, to

1.10 resolve alleged unlawful TCE emissions by Water Gremlin Company.

1.11 (c) "TCE" means trichloroethylene.

1.12 (d) "TCE area of concern" includes the area in and near White Bear Township affected

1.13 by unlawful emissions of TCE, as determined by the commissioner of the Pollution Control

1.14 Agency.

1.15 Subd. 2. **Establishment.** The TCE emission response account is established as an account

1.16 in the environmental fund. The account consists of the net proceeds of the civil penalty paid

1.17 to the Pollution Control Agency as part of the settlement and earnings on the investment of

1.18 money in the account. Money in the account may be invested through the State Board of

1.19 Investment.

1.20 Subd. 3. **Expenditures.** Subject to appropriation by the legislature, money in the account

1.21 may be spent to assess and address the effects of unlawful emissions of TCE in the TCE

1.22 area of concern.

2.1 Sec. 2. [115B.56] TCE EMISSION STAKEHOLDERS.

2.2 The commissioner must work with the following stakeholders to identify and recommend
2.3 to the legislature projects to receive funding from the TCE emission response account: a
2.4 representative of the Minnesota Department of Health; a representative of the Minnesota
2.5 Pollution Control Agency; an elected official from the city of Gem Lake; an elected official
2.6 from the city of White Bear Lake; an elected official from White Bear Township; three
2.7 individuals appointed by the Neighborhood Concerned Citizens Group serving the White
2.8 Bear Township, White Bear Lake, and Gem Lake areas; an individual who is appointed by
2.9 the Neighborhood Concerned Citizens Group who lives within half of one mile of the Water
2.10 Gremlin facility that was the source of the TCE emissions described in the settlement; and
2.11 a representative of Ramsey County, who shall be a nonvoting member. Stakeholder
2.12 recommendations may include recommendations regarding:

2.13 (1) the broad purposes or specific projects for which money in the TCE emission response
2.14 account should be appropriated;

2.15 (2) the need for additional testing, investigations, or research;

2.16 (3) ways to improve communication between state and federal officials and local
2.17 governments, citizens, and businesses when hazardous chemicals are actually or potentially
2.18 released into a community;

2.19 (4) policy or law changes that would facilitate a better response to future releases of
2.20 hazardous chemicals; and

2.21 (5) any other matter the stakeholders deem relevant.