

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 666

(SENATE AUTHORS: RUUD)

DATE	D-PG	OFFICIAL STATUS
01/31/2019	212	Introduction and first reading Referred to Environment and Natural Resources Policy and Legacy Finance See SF835 See First Special Session 2019, SF7, Art. 3, Sec. 98

1.1 A bill for an act

1.2 relating to environment; modifying application requirements for solid waste

1.3 management capital assistance program; amending Minnesota Statutes 2018,

1.4 section 115A.51.

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

1.6 Section 1. Minnesota Statutes 2018, section 115A.51, is amended to read:

1.7 **115A.51 APPLICATION REQUIREMENTS.**

1.8 (a) Applications for assistance under the program ~~shall~~ must demonstrate:

1.9 ~~(a)~~ (1) that the project is conceptually and technically feasible;

1.10 ~~(b)~~ (2) that affected political subdivisions are committed to implement the project, to

1.11 provide necessary local financing, and to accept and exercise the government powers

1.12 necessary to the project;

1.13 ~~(c)~~ (3) that operating revenues from the project, considering the availability and security

1.14 of sources of solid waste and of markets for recovered resources, together with any proposed

1.15 federal, state, or local financial assistance, will be sufficient to pay all costs over the projected

1.16 life of the project;

1.17 ~~(d)~~ (4) that the applicant has evaluated the feasible and prudent alternatives to disposal,

1.18 including using existing solid waste management facilities with reasonably available capacity

1.19 sufficient to accomplish the goals of the proposed project, and has compared and evaluated

1.20 the costs of the alternatives, including capital and operating costs, and the effects of the

1.21 alternatives on the cost to generators;

1.22 (5) that the applicant has identified:

- 2.1 (i) waste management objectives in applicable county and regional solid waste
2.2 management plans consistent with section 115A.46, subdivision 2, paragraphs (e) and (f),
2.3 or 473.149, subdivision 1; and
- 2.4 (ii) other solid waste facilities identified in the county and regional plans; and
- 2.5 (6) that the applicant has conducted a comparative analysis of the project against existing
2.6 public and private solid waste facilities, including an analysis of potential displacement of
2.7 those facilities, to determine whether the project is the most appropriate alternative to achieve
2.8 the identified waste management objectives that considers:
- 2.9 (i) conformity with approved county or regional solid waste management plans;
- 2.10 (ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision
2.11 2, paragraphs (e) and (f), or 473.149, subdivision 1; and
- 2.12 (iii) environmental standards related to public health, air, surface water, and groundwater.
- 2.13 (b) The commissioner may require completion of a comprehensive solid waste
2.14 management plan conforming to the requirements of section 115A.46, before accepting an
2.15 application. Within five days of filing an application with the agency, the applicant must
2.16 submit a copy of the application to each solid waste management facility mentioned in the
2.17 portion of the application addressing the requirements of paragraph (a), clauses (5) and (6).
- 2.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.