

**SENATE  
STATE OF MINNESOTA  
NINETIETH SESSION**

**S.F. No. 1310**

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DATE  
02/22/2017

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707

Introduction and first reading  
Referred to Environment and Natural Resources Policy and Legacy Finance

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to environment; eliminating rulemaking authority pertaining to particulate  
1.3 emissions from silica sand projects; amending Laws 2013, chapter 114, article 4,  
1.4 section 105.

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

1.6 Section 1. Laws 2013, chapter 114, article 4, section 105, is amended to read:

1.7 Sec. 105. **RULES; SILICA SAND.**

1.8 ~~(a) The commissioner of the Pollution Control Agency shall adopt rules pertaining to~~  
1.9 ~~the control of particulate emissions from silica sand projects. The rulemaking is exempt~~  
1.10 ~~from Minnesota Statutes, section 14.125.~~

1.11 ~~(b)~~ (a) The commissioner of natural resources shall adopt rules pertaining to the  
1.12 reclamation of silica sand mines. The rulemaking is exempt from Minnesota Statutes, section  
1.13 14.125.

1.14 ~~(c)~~ (b) By January 1, 2014, the Department of Health shall adopt an air quality  
1.15 health-based value for silica sand.

1.16 ~~(d)~~ (c) The Environmental Quality Board shall amend its rules for environmental review,  
1.17 adopted under Minnesota Statutes, chapter 116D, for silica sand mining and processing to  
1.18 take into account the increased activity in the state and concerns over the size of specific  
1.19 operations. The Environmental Quality Board shall consider whether the requirements of  
1.20 Minnesota Statutes, section 116C.991, should remain part of the environmental review  
1.21 requirements for silica sand and whether the requirements should be different for different  
1.22 geographic areas of the state. The rulemaking is exempt from Minnesota Statutes, section  
1.23 14.125.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.