

at hearing. The hearing shall be public and shall be conducted by the commissioner or a referee appointed by him. All affected persons shall have an opportunity to be heard. All testimony shall be taken under oath and the right of cross-examination shall be accorded. The commissioner shall provide a stenographer, *at the expense of the applicant*, to take testimony and a record of the testimony and all proceedings at the hearing shall be taken and preserved. The commissioner shall not be bound by judicial rules of evidence or of pleading and procedure.

Sec. 2. Minnesota Statutes 1967, Section 84.58, is amended by adding a subdivision to read:

*Subd. 7. **Publication of findings, conclusions, orders.** The commissioner shall mail notice of any findings, conclusions, and orders made after the hearing to the following: (1) The applicant; (2) parties who entered an appearance at the hearing; (3) the county auditor, and (4) the chief executive officer of any municipality affected. The commissioner shall publish, at the expense of the applicant, notice of any findings, conclusions, and orders made after the hearing at least once each week for two successive weeks in a legal newspaper in the county in which a part or all of the project is located.*

Sec. 3. Minnesota Statutes 1967, Chapter 84, is amended by adding a section to read:

[84.611] Abandonment of project. *No underground storage project for which a permit is granted under provisions of sections 84.57 to 84.62 shall be abandoned, nor shall any natural or artificial opening extending therefrom to the ground surface be filled, sealed or otherwise closed to inspection, except upon written approval by the commissioner and in compliance with any conditions that the commissioner may impose.*

Approved May 24, 1969.

CHAPTER 724—H. F. No. 2594

[Coded]

An act relating to the underground storage of gases or liquids; amending Minnesota Statutes 1967, Chapter 84, by adding a section.

Be it enacted by the Legislature of the State of Minnesota:

Changes or additions indicated by italics, deletions by ~~strikeout~~.

Section 1. Minnesota Statutes 1967, Chapter 84, is amended by adding a section to read:

[84.621] Underground storage of gases or liquids; permits. *Subdivision 1. It is unlawful for the state, any person, partnership, association, private or public corporation, county, municipality or other political subdivision of the state to store any gas or liquid, except water, below the natural surface of the ground by using naturally occurring rock materials as a storage reservoir without first having secured a permit therefor from the commissioner of conservation.*

Subd. 2. The provisions of Minnesota Statutes, Section 84.58, relating to application for a permit, notice of the hearing on the permit, time of hearing, procedures at the hearing, the authority of the commissioner of conservation to subpoena and compel the attendance of witnesses, and the production of books and documents, and the punishment of contempts, apply to this section, insofar as applicable.

Subd. 3. The commissioner shall make findings as provided in Minnesota Statutes, Section 84.60, including but not limited to a finding that the public convenience and necessity of a substantial portion of the public which consumes the product must be served.

Subd. 4. The commissioner may require the applicant to demonstrate that he is capable of paying damages resulting from the operation of the storage.

Subd. 5. Appeals shall be taken as provided in Minnesota Statutes, Section 84.59.

Subd. 6. No use shall be made of a storage reservoir until a use certificate has been issued as provided in Minnesota Statutes, Section 84.62.

Subd. 7. This section is not intended to supersede sections 84.57 to 84.62, but is intended to be complementary to these sections by providing for the regulation of underground storage reservoirs which do not involve the displacement of underground waters.

Sec. 2. **Effective date.** *This act is effective July 1, 1969.*

Approved May 24, 1969.

Changes or additions indicated by italics, deletions by ~~strikeout~~.