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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3078

02/26/2018 Authored by Heintzeman
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 solid waste; requiring Pollution Control Agency to certify certain
1.3 information regarding bonding proposals for solid waste facilities; requiring
1.4 additional analysis in applications for state assistance for solid waste management
1.5 projects; amending Minnesota Statutes 2016, section 115A.51.

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

1.7 Section 1. Minnesota Statutes 2016, section 115A.51, is amended to read:

1.8 **115A.51 APPLICATION REQUIREMENTS.**

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

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

1.11 ~~(b)~~ (2) that affected political subdivisions are committed to implement the project, to
1.12 provide necessary local financing, and to accept and exercise the government powers
1.13 necessary to the project;

1.14 ~~(c)~~ (3) that operating revenues from the project, considering the availability and security
1.15 of sources of solid waste and of markets for recovered resources, together with any proposed
1.16 federal, state, or local financial assistance, will be sufficient to pay all costs over the projected
1.17 life of the project;

1.18 ~~(d)~~ (4) that the applicant has evaluated the feasible and prudent alternatives to disposal,
1.19 including the use of existing solid waste management facilities with reasonably available
1.20 capacity sufficient to accomplish, in whole or in part, the goals of the proposed project, and
1.21 has compared and evaluated the costs of the alternatives, including capital and operating
1.22 costs, and the effects of the alternatives on the cost to generators; and

2.1 (5) that the applicant has identified waste management objectives in applicable county
2.2 and regional solid waste management plans that can be achieved only through public
2.3 ownership of the proposed solid waste management facility and has adequately balanced
2.4 achievement of the objectives against the requirement of the plans to encourage ownership
2.5 and operation of solid waste management facilities by private industry and protecting existing
2.6 private and public solid waste facilities from displacement.

2.7 (b) The commissioner may require completion of a comprehensive solid waste
2.8 management plan conforming to the requirements of section 115A.46, before accepting an
2.9 application. Within five days of filing an application with the agency, the applicant must
2.10 submit a copy of the application to each solid waste management facility mentioned in the
2.11 portion of the application addressing the requirements of paragraph (a), clause (5).

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