

(SENATE AUTHORS: HOFFMAN)

DATE	D-PG	OFFICIAL STATUS
03/16/2011	525	Introduction and first reading Referred to Environment and Natural Resources
04/18/2011	1375	Comm report: To pass
	1385	Second reading
05/05/2011	1765	General Orders: To pass
05/10/2011	1951	Calendar: Third reading Passed

1.1

A bill for an act

1.2

relating to environment; modifying landfill cleanup program; amending

1.3

Minnesota Statutes 2010, section 115B.412, subdivision 8, by adding

1.4

subdivisions.

1.5

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

1.6

Section 1. Minnesota Statutes 2010, section 115B.412, subdivision 8, is amended to

1.7

read:

1.8

Subd. 8. **Transfer of title; disposal of property.** The owner of a qualified facility

1.9

may, as part of the owner's activities under section 115B.40, subdivision 4 or 5, offer to

1.10

transfer title to all or any portion of the property described in the facility's most recent

1.11

permit, including any property adjacent to that property the owner wishes to transfer, to

1.12

the commissioner. The commissioner may accept the transfer of title if the commissioner

1.13

determines that to do so is in the best interest of the state. If, after transfer of title to the

1.14

property, the commissioner determines that it is in the best interest of the state to dispose

1.15

of property acquired under this subdivision, the commissioner may do so under section

1.16

115B.17, subdivision 16. The property disposed of under this subdivision is no longer part

1.17

of the qualified facility.

1.18

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

1.19

Sec. 2. Minnesota Statutes 2010, section 115B.412, is amended by adding a subdivision

1.20

to read:

1.21

Subd. 8a. **Boundary modification.** The commissioner may modify the boundaries

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of a qualified facility to exclude certain property if the commissioner determines that no

1.23

further response actions are required to be conducted under sections 115B.39 to 115B.445

2.1 on the excluded property and the excluded property is not affected by disposal activities
2.2 on the remaining portions of the qualified facility. Any property excluded under this
2.3 subdivision is no longer part of the qualified facility.

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

2.5 Sec. 3. Minnesota Statutes 2010, section 115B.412, is amended by adding a subdivision
2.6 to read:

2.7 Subd. 8b. **Delisting.** If all solid waste from a qualified facility has been relocated
2.8 outside the qualified facility's boundaries and the commissioner has determined that no
2.9 further response actions are required on the property under sections 115B.39 to 115B.445,
2.10 the commissioner may delist the facility by removing it from the priority list established
2.11 under section 115B.40, subdivision 2, after which the property shall no longer be a
2.12 qualified facility. The commissioner has no further responsibilities under sections 115B.39
2.13 to 115B.445 for a facility delisted under this subdivision.

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