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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2368

03/11/2019 Authored by Wazlawik and Fischer The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

1.1 A bill for an act
1.2 relating to environment; providing for disposition of fines for certain
1.3 trichloroethylene emissions; creating an account; creating stakeholder group;
1.4 proposing coding for new law in Minnesota Statutes, chapter 115B.

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

1.6 Section 1. [115B.55] TCE EMISSION RESPONSE ACCOUNT.

1.7 Subdivision 1. Definitions. (a) For purposes of this section and section 115B.56, the
1.8 terms in this subdivision have the meanings given.

1.9 (b) "Settlement" means the stipulation agreement entered into on March 1, 2019, to
1.10 resolve alleged unlawful TCE emissions by Water Gremlin Company.

1.11 (c) "TCE" means trichloroethylene.

1.12 (d) "TCE area of concern" includes the area in and near White Bear Township affected
1.13 by unlawful emissions of TCE, as determined by the commissioner of the Pollution Control
1.14 Agency.

1.15 Subd. 2. Establishment. The TCE emission response account is established as an account
1.16 in the environmental fund. The account consists of the net proceeds of the civil penalty paid
1.17 to the Pollution Control Agency as part of the settlement and earnings on the investment of
1.18 money in the account. Money in the account may be invested through the State Board of
1.19 Investment.

1.20 Subd. 3. Expenditures. Subject to appropriation by the legislature, money in the account
1.21 may be spent to assess and address the effects of unlawful emissions of TCE in the TCE
1.22 area of concern.

2.1 Sec. 2. [115B.56] TCE EMISSION STAKEHOLDERS.

2.2 The commissioner must work with stakeholders to identify and recommend to the
2.3 legislature projects to receive funding from the TCE emission response account. Stakeholders
2.4 include, at a minimum, local governments located in or near the TCE area of concern, elected
2.5 officials representing areas located in or near the TCE area of concern, individuals and
2.6 businesses located in or near the TCE area of concern, and Water Gremlin Company.
2.7 Stakeholder recommendations may include recommendations regarding:

2.8 (1) the broad purposes or specific projects for which money in the TCE emission response
2.9 account should be appropriated;

2.10 (2) the need for additional testing, investigations, or research;

2.11 (3) ways to improve communication between state and federal officials and local
2.12 governments, citizens, and businesses when hazardous chemicals are actually or potentially
2.13 released into a community;

2.14 (4) policy or law changes that would facilitate a better response to future releases of
2.15 hazardous chemicals; and

2.16 (5) any other matter the stakeholders deem relevant.