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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3378

- 02/17/2020 Authored by Wazlawik, Becker-Finn, Fischer, Lee and Hansen
- 02/26/2020 The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy
- 03/12/2020 Adoption of Report: Re-referred to the Environment and Natural Resources Finance Division
- 03/12/2020 Adoption of Report: Amended and re-referred to the Judiciary Finance and Civil Law Division

1.1 A bill for an act

1.2 relating to environment; requiring Pollution Control Agency to hold a public

1.3 hearing under certain circumstances; amending Minnesota Statutes 2018, section

1.4 115.071, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2018, section 115.071, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 3a. **Public informational hearing.** (a) The commissioner, before finalizing a

1.9 stipulation agreement or consent decree with a facility in which the agency is seeking a

1.10 settlement amount greater than \$25,000, must hold a public informational meeting at a

1.11 convenient time at a location near the facility to:

1.12 (1) notwithstanding section 13.39, subdivision 2, describe the amount, frequency,

1.13 duration, and chemical nature of the pollution released or emitted by the facility and the

1.14 risks to public health and the environment from that exposure; and

1.15 (2) allow members of the public, including those persons potentially exposed to pollution

1.16 released or emitted from the facility, to make the agency aware of:

1.17 (i) interactions between the facility and the public regarding the facility's operations;

1.18 (ii) operational problems or incidents occurring at the facility; and

1.19 (iii) suggestions as to supplemental environmental projects that the public may prefer

1.20 as part of a stipulation agreement or consent decree between the facility and the agency.

1.21 (b) For the purposes of this section, "supplemental environmental project" means a

1.22 project that benefits the environment or public health that a regulated facility agrees to

- 2.1 undertake as part of a settlement with respect to an enforcement action taken by the agency
- 2.2 to resolve noncompliance.
- 2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.