

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 340**

(SENATE AUTHORS: PEDERSON, J., Scalze, Koenen, Brown and Schmit)

DATE	D-PG	OFFICIAL STATUS
01/26/2015	134	Introduction and first reading Referred to Environment and Energy
02/23/2015	385a	Comm report: To pass as amended
	387	Second reading

1.1 A bill for an act  
1.2 relating to environment; requiring local approval before issuance of state disposal  
1.3 facility permit; amending Minnesota Statutes 2014, section 116.07, subdivision 4j.

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

1.5 Section 1. Minnesota Statutes 2014, section 116.07, subdivision 4j, is amended to read:

1.6 Subd. 4j. **Permits; solid waste facilities.** (a) The agency may not issue a permit  
1.7 for new or additional capacity for a mixed municipal solid waste resource recovery or  
1.8 disposal facility as defined in section 115A.03 unless each county using or projected in  
1.9 the permit to use the facility has in place a solid waste management plan approved under  
1.10 section 115A.46 or 473.803 and amended as required by section 115A.96, subdivision 6.

1.11 The agency shall issue the permit only if the capacity of the facility is consistent with the  
1.12 needs for resource recovery or disposal capacity identified in the approved plan or plans.

1.13 Consistency must be determined by the Pollution Control Agency. Plans approved before  
1.14 January 1, 1990, need not be revised if the capacity sought in the permit is consistent  
1.15 with the approved plan or plans.

1.16 (b) The agency shall require as part of the permit application for a waste incineration  
1.17 facility identification of preliminary plans for ash management and ash leachate treatment  
1.18 or ash utilization. The permit issued by the agency must include requirements for ash  
1.19 management and ash leachate treatment.

1.20 (c) Within 180 days of receipt of a completed application, the agency shall approve,  
1.21 disapprove, or delay decision on the application, with reasons for the delay, in writing.

1.22 (d) The agency may not issue a permit for a new disposal facility, as defined in  
1.23 section 115A.03, subdivision 10, or a permit to expand an existing disposal facility until  
1.24 all applicable local units of government have either:

- 2.1 (1) granted approval for the new or expanded facility; or
- 2.2 (2) authorized the permit to be issued prior to or concurrent with approval by the
- 2.3 local unit of government.

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