

File Number: H.F. 766
Version: As introduced

Date: February 20, 2017

Authors: Swedzinski

Subject: Impaired Waters Lists and Public Notice Requirements

Analyst: Janelle Taylor

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

This bill requires the Pollution Control Agency (PCA) to have a public comment period when listing waters as impaired under the federal Clean Water Act, provides a process to challenge the draft impaired waters list, and establishes public notification and public comment period requirements for public wastewater treatment facility permits.

Section

- 1 Impaired waters list; public notice and process.** Adds § 114D.25, subd. 6. Requires the PCA to have a 60-day comment period following publication of a draft impaired water list required under the federal Clean Water Act. It also allows the draft to be challenged through contested case procedures under the Administrative Procedures Act and identifies criteria the draft may be challenged upon, including the agency's use of data that is more than five years old, the use of data that does not include data from within the last two years, or the use of data that does not reflect recent significant infrastructure investments and pollutant reductions.
- 2 Notice requirements for publicly owned wastewater treatment facilities.** Adds § 115.542. Requires the PCA to provide a permit applicant for a publicly owned wastewater treatment facility with a copy of the draft permit and any fact sheets required at least 30 days prior to distribution and public notice of the permit application and preliminary determination. It also requires the PCA to have a public comment period of at least 60 days for these permits.