

Subject Feedlots
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Overview

This bill would require a person applying to the Minnesota Pollution Control Agency (MPCA) for a feedlot permit to submit proof of financial assurance (i.e., a bond, irrevocable letter of credit, etc.) sufficient to pay for the feedlot closure requirements under MPCA's chapter 7020 feedlot rules. It would also require counties and MPCA to develop a list of abandoned or closed feedlots. The bill appropriates money to MPCA for its duties under this act, and for grants to counties and the Minnesota Association of County Feedlot Officers.

Under MPCA's 7020 rules, the owner of a feedlot or manure storage area must (1) remove and land apply manure and manure-contaminated soil within one year of ceasing operation, (2) reduce soil nitrogen by growing alfalfa, grasses, or other perennial forage on the site for at least five years, and (3) notify MPCA or the county feedlot officer within 60 days of final closure that the feedlot or manure storage area was closed as required under this rule (Minn. Rules, part 7020.2025).

Summary

Section	Description
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1	Financial assurance.
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	Requires feedlot permit applicants to submit sufficient proof of financial assurance before MPCA may issue or renew the permit. Specifies that the financial assurance instrument must be fully binding and enforceable, not dischargeable through bankruptcy, and of an amount sufficient to pay the estimated closure costs plus any estimated costs that would be incurred by MPCA to hire a third party to execute the required closure activities. Requires the applicant to estimate closure costs and authorizes MPCA to modify the applicant's cost estimates. Requires the applicant to pay any costs incurred by MPCA to consult third parties with experience in evaluating financial assurance instruments or in feedlot or manure storage area closure or remediation.
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Section	Description
2	<p>Abandoned feedlots and manure storage areas.</p> <p>Requires MPCA to annually compile a list of abandoned feedlots and manure storage areas. Defines this term as those feedlots and manure storage areas that have (1) permanently ceased operation but are not in compliance with MPCA's 7020.2025 closure requirements, or (2) been unused for at least two years.</p> <p>Specifies that MPCA's list is not a "feedlot inventory." Under current law, if MPCA conducts a feedlot inventory, it must publicize notice in a newspaper of general circulation and other media that states when the inventory will be conducted, what information MPCA will request, how the collected information will be provided to the public, and the date of a public meeting to address the inventory.</p>
3	<p>Reports required.</p> <p>Requires each county to report a list of abandoned feedlots and manure storage areas to MPCA by January 15, 2023. Requires MPCA to submit a compilation report and recommendations to the legislature by February 15, 2023. Specifies that these county lists and reports are not feedlot inventories for purposes of current law requirements.</p>
4	<p>Appropriations.</p> <p>Provides a general fund base appropriation of \$250,000 per year to MPCA for purposes of this act, and a onetime appropriation of \$350,000. Of this onetime amount, the bill specifies that \$100,000 is for distribution to counties and \$250,000 is for a training grant to the Minnesota Association of County Feedlot Officers.</p>



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