Overview

This bill provides a window of opportunity for additional landfills to enter the state's closed landfill cleanup program, and establishes criteria those landfills would need to meet. The bill also establishes a closed landfill contingency action trust fund and authorizes the use of the solid waste fund for certain well monitoring and health assessments. Finally, the bill repeals several sections of Minnesota law.

-212 Deletes references to sections repealed by this bill.

3 Adds a new category to the definition of "qualified facility." The added facilities are those permitted mixed municipal solid waste (MMSW) facilities that have stopped accepting waste by January 1, 2000, except that demolition debris, industrial waste, and municipal solid waste combustor ash may be accepted until January 1, 2001, at a facility that can take such waste in areas that are at least 50 feet from the MMSW boundary. Approximately 7 sites would meet this new category of "qualified facility."

-545 Specifies that the priority list for landfills in the state cleanup program and the notification requirements only apply to the original landfills made "qualified landfills" in 1994.

6 Provides that "qualified facilities" added to the landfill program under this bill must transfer to the commissioner of revenue for deposit in the solid waste fund an amount of cash equal to the facility's approved current contingency action cost estimate and the present value of the approved estimated remaining post-closure care cost. This amount is required as proof of financial responsibility under section 116.07, subdivision 4h. This section also provides that new facilities are not required to provide the commissioner of the PCA with a copy of the facility's insurance policies or take steps to preserve rights to payment or defense under those policies.

7 Makes technical changes to reflect changes made in section 6.

8 Clarifies that duties of the commissioner only apply to a "qualified facility" that is not under a cleanup order.

9 Clarifies that the provision allowing the commissioner to seek recovery to the extent of
insurance coverage only applies to facilities made "qualified facilities" in 1994.

10 Specifies that the suspension of the statute of limitations in the state landfill cleanup program only applies to facilities made "qualified facilities" in 1994, not to "qualified facilities" added by this bill.

11 Provides that the added "qualified facilities" may apply before December 31, 1999, for exclusion from the landfill cleanup program. This is parallel to the provision for "qualified facilities" under the original act.

12 Provides that any revenue from the sale, lease, or other transfer of property acquired under the state landfill cleanup program shall be deposited in the solid waste fund.

13 Authorizes the use of money from the solid waste fund, subject to appropriation, to pay for private water supply monitoring and health assessment costs in areas contaminated by dumps. The provision for expenditure out of the metropolitan contingency action trust fund for these activities at dumps in the Twin Cities metropolitan area is being repealed in this bill.

14 Establishes a closed landfill contingency action trust fund for contingency action and construction work at "qualified facilities" after the sum reaches an unspecified amount. The fund balance will be established with a schedule of transfers of unspecified amounts from the solid waste fund. Provides that the fund shall be managed through the state board of investment to maximize long-term gain while maintaining sufficient liquidity to meet three years of expenses.

15 Clarifies that reimbursement by the PCA only applies to the original landfills made "qualified facilities" in 1994.

16 Specifies that the insurance settlement process in the state landfill cleanup program only applies to the original landfills made "qualified facilities" in 1994.

17 Requires any insurance settlement proceeds relating to natural resource damages from the original landfills in the program be deposited in the state Superfund account.

18 Repeals the following provisions in Minnesota Statutes:
   115A.929 - separate accounting for waste management;
   115A.981 - economic status and outlook report;
   297H.13, subdivision 6 - organized collection billing practices; and
   473.845, subdivision 2, water supply monitoring and health assessments from the metropolitan contingency action trust fund

19 Makes this act effective the day following final enactment.