This bill provides an opportunity for landfills that stop accepting solid waste by January 1, 2000 and meet certain other criteria to enter the closed landfill cleanup program. This bill also sets funds aside for perpetual care costs, and authorizes use of the solid waste fund for certain well monitoring and health assessments. Finally, the bill establishes a municipal dump cleanup grant program funded by the solid waste fund.

**Section**

1. Provides that a letter from the Commissioner of the Pollution Control Agency (PCA) stating that no contamination removal or remedial action is required is considered an approved response action plan for purposes of qualifying for a brownfield grant for filling in certain industrial development sites.

2. Adds a new category to the definition of "qualified facility." The added facilities are those permitted mixed municipal solid waste (MMSW) facilities, including adjacent property used for unpermitted solid waste disposal, that stop accepting solid waste by January 1, 2000.

3. Provides that "qualified facilities" added to the closed landfill program under this bill must transfer to the commissioner of the Pollution Control Agency (PCA) an amount of cash equal to the sum of the facility's current contingency action cost estimate and the present value of the remaining postclosure care cost.

4. 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.

5. 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.

6. Establishes a perpetual care account within the solid waste fund. Limits use of funds in the account to perpetual care costs at "qualified facilities" that have been closed for 30 years or
more. Provides that funds in the account shall be managed through the state board of investment to maximize long-term gain.

7 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 until June 30, 2007. 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metropolitan contingency action trust fund for these activities at dumps in the Twin Cities metropolitan area is being repealed in this bill.

Authorizes the use of money from the solid waste fund, subject to appropriation, to perform environmental assessments and response actions at dumps.

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

9 Defines terms used for a new grant program to fund cleanup of qualified municipal dump sites. A "qualified municipal dump site" or "qualified site" is defined as a mixed municipal solid waste site, including adjacent property used for solid waste disposal, that stopped accepting waste prior to 1973, was over 50% publically owned on January 1, 1999, and was on the state Superfund list on January 1, 1999.

10 Authorizes municipalities, upon approval of the governing body, to submit grant applications for the municipal dump cleanup grant program. Provides for necessary information on a grant application.

11 Provides authority for the Commissioner of the PCA to make grants for up to 100 percent of the cleanup costs at a "qualified site." Establishes priorities for applications for "qualified sites" based upon the potential threat to the environment, the lack of other sources of state or federal financing, and the lack of development potential for the site. Requires the Commissioner of the PCA to report to the legislature by November 1 of each even-numbered year on the status of the cleanup projects funded by grants from the program.

12 Authorizes the attorney general or the municipality conducting the cleanup to bring a lawsuit to seek to recover municipal dump cleanup costs. Requires the municipality to have the consent of the attorney general to bring or settle a cost recovery action seeking to recover costs funded from the proceeds of a grant. Includes procedures for seeking recovery of cleanup costs funded by the municipal dump cleanup grant program. Authorizes the attorney general to assist a municipality that brings a suit to recover such cleanup costs. Provides that any revenue received for cost recovery is used to reimburse the municipality and the solid waste fund in proportion to their respective payments for cleanup costs.

13 Clarifies that a state grant does not imply any state responsibility for liability at a "qualified site."

14 Appropriates unspecified amounts to the PCA from the solid waste fund for dump cleanup and dump investigation. Requires the 2000 report from the PCA on the municipal dump grant program to include the results of the dump investigation and recommendations for inclusion of additional dumps in the municipal dump cleanup grant program.

15 Repeals section 474.845, subdivision 2, relating to water supply monitoring and health assessments using funds from the metropolitan contingency action trust fund. Provides that sections 9 to 13 are repealed effective June 30, 2007.

16 Provides that sections 1 to 5 are effective the day following final enactment.