

# H.F. 167

As amended by the H0167A3 amendment

Subject Environmental enforcement

Authors Lee

Analyst Bob Eleff

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## Overview

House File 167, as amended by the H0167A3 amendment, requires the Pollution Control Agency to offer a regulated facility that has entered into a settlement agreement with the agency stemming from a pollution release the option, in addition to paying a fine or engaging in other remedial actions required by the agency, of conducting or paying for a project that provides diagnostic, preventive, or health care treatment to a population exposed to pollution as a result of the facility's noncompliance.

## Summary

Section	Description
1	<p><b>[16A.151] Proceeds of litigation or settlement.</b></p> <p><b>Subd. 2. Exceptions.</b> Allows for money from a settlement by the state to be used for a supplemental public health environmental project.</p>
2	<p><b>[116.0735] Supplemental environmental projects.</b></p> <p><b>Subd. 1. Definitions.</b> Defines a "supplemental environmental project" as a project benefiting public health or the environment that a regulated party agrees to undertake voluntarily as part of or settlement agreement with respect to an enforcement action.</p> <p>Defines a "public health supplemental environmental project" as one providing diagnostic, preventive, or health care treatment to a population exposed to pollution as a result of a regulated facility's noncompliance.</p> <p><b>Subd. 2. Supplemental environmental project.</b> Allows the Pollution Control Agency to offer a violator an option to conduct, or pay for a third party to conduct, a supplemental environmental project when the commissioner determines that it is in the public interest to do so.</p> <p><b>Subd. 3. Public health supplemental environmental project.</b> Requires the Pollution Control Agency to offer a violator an option to conduct, or pay for a third party to conduct, a public health supplemental environmental project when the commissioner, in consultation with the commissioner of health, determines that the pollution resulting from noncompliance may result in measurable health</p>

Section	Description
	<p>impacts to the exposed population. Specifies factors the commissioner must consider in making the determination. Requires the commissioners of health and the Pollution Control Agency to approve a public health supplemental environmental project, and to certify that it was completed in adequate fashion.</p> <p><b>Subd. 4. Community participation.</b> Requires the commissioner to insure that the community actively participates in developing a public health supplemental environmental project.</p> <p><b>Subd. 5. Legislative report.</b> Requires the commissioner to report to the legislature annually, beginning in 2020, information regarding supplemental environmental projects offered by the agency and implemented by regulated facilities.</p>



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