

Subject Financial assurance for waste tire facilities

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Overview

House File 223, as amended by the H0223DE2 amendment, establishes new requirements for financial qualification for owners and operators of waste tire collection and processing facilities. Requires the Pollution Control Agency (PCA) commissioner to amend rules regarding financial assurance that must be in place for such facilities.

Summary

Section	Description
1	<p>[115A.903] Waste tire facilities; financial qualifications.</p> <p>Subd. 1. Definitions.</p> <p>Subd. 2. Application; financial qualification. Lists information that must be part of a permit application, including a demonstration of the financial qualification of the applicant to design, construct, operate, maintain, and close a waste tire facility, and cost estimates for each of these project phases.</p> <p>Subd. 3. Financial qualification review. Authorizes the PCA commissioner to send an applicant's financial qualification information to the state auditor, who will determine whether the filing meets the requirements of this section.</p> <p>Subd. 4. Changes affecting financial qualification. Requires a permit holder to maintain financial qualification in order to continue to hold a permit. A permit holder must notify the commissioner within 30 days of any significant change in the identity or the assets of the person or structure of the business that holds the permit or owns and operates the facility. A change is considered significant if it would alter the identity or otherwise affect the financial qualification of the owner, operator, or permit owner. The commissioner may, as a result of the changes, require a permit holder to reestablish financial qualifications, revoke a permit, or require a new permit to be issued.</p> <p>Subd. 5. Application. Specifies that the financial requirements of this section apply only to the first ten years of operation of a waste tire facility, and exempts political subdivisions operating a waste tire facility from the provisions of this section.</p>

Section	Description
2	<p>Financial assurance requirements for waste tire facilities; rule amendments.</p> <p>Requires the PCA commissioner to revise rules governing waste tire facilities to require financial assurance of no less than \$250 per ton of waste tires stored at the facility.</p> <p>Allows a permittee to demonstrate financial assurance by using a corporate financial test similar to that allowed under federal law.</p>



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