

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 1229**

(SENATE AUTHORS: CHAMPION)

DATE  
02/06/2023

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Introduction and first reading  
Referred to Environment, Climate, and Legacy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to environment; requiring public meeting every five years for certain  
1.3 nonexpiring air emission permits; requiring denial of request for permit review to  
1.4 be in writing and to state reason for denial; requiring creation of full-time equivalent  
1.5 position; amending Minnesota Statutes 2022, section 116.07, by adding  
1.6 subdivisions.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision  
1.9 to read:

1.10 Subd. 4m. **Nonexpiring state individual permits; public informational meeting.** (a)  
1.11 For each facility issued a nonexpiring state individual air quality permit by the agency, the  
1.12 agency must hold a separate public informational meeting at regular intervals to allow the  
1.13 public to make comments or inquiries regarding any aspect of the permit, including but not  
1.14 limited to permit conditions, testing results, the facility's operations, and permit compliance.  
1.15 The public informational meeting must be held at a location near the permitted facility and  
1.16 convenient to the public. Individuals employed at the facility who are responsible for the  
1.17 facility meeting the conditions of the permit and agency officials must be present at the  
1.18 public informational meeting. For nonexpiring state individual air quality permits issued or  
1.19 reissued after December 31, 2018, a public informational meeting must be held under this  
1.20 subdivision no later than five years after the permit is issued or reissued and every five years  
1.21 thereafter. For nonexpiring state individual air quality permits issued on or before December  
1.22 31, 2018, a public informational meeting must be held under this subdivision no later than  
1.23 December 31, 2024, and every five years thereafter.

2.1 (b) For the purposes of this section, "state individual air quality permit" means an air  
2.2 quality permit that:

2.3 (1) is issued to an individual facility that is required to obtain a permit under Minnesota  
2.4 Rules, part 7007.0250, subparts 2 to 6; and

2.5 (2) is not a general permit issued under Minnesota Rules, part 7007.1100.

2.6 (c) As required under subdivision 4d, the agency's direct and indirect reasonable costs  
2.7 of conducting the activities under this subdivision must be recovered through air quality  
2.8 permit fees.

2.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.10 Sec. 2. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to  
2.11 read:

2.12 Subd. 4n. **Permit review denial.** If the commissioner determines that a person's request  
2.13 for the agency to review an existing permit is not warranted, the commissioner must state  
2.14 the reasons for the determination in writing within 15 days of the determination.

2.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.16 Sec. 3. **POSITION ESTABLISHED; POLLUTION CONTROL AGENCY.**

2.17 The commissioner of the Pollution Control Agency must establish a new full-time  
2.18 equivalent position of community liaison, funded through air quality permit fees, as specified  
2.19 in Minnesota Statutes, section 116.07, subdivision 4d, to conduct the administrative tasks  
2.20 necessary to successfully implement Minnesota Statutes, section 116.07, subdivision 4m,  
2.21 and other regulatory activities requiring interaction between the agency and residents in  
2.22 communities exposed to air pollutants emitted by facilities permitted by the agency.