

1.1 A bill for an act

1.2 relating to environment; providing for extension of temporary closure status on
1.3 underground storage tanks; amending Minnesota Statutes 2008, section 116.49,
1.4 by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2008, section 116.49, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 5. **Temporary closure; extension.** (a) All underground storage tank systems
1.9 must be permanently closed if the tank system is out of service for five years or more,
1.10 except as provided under this subdivision.

1.11 (b) The owner of an underground storage tank system that was installed after 1991
1.12 and that has been out of service and in temporary closure for five years may submit a
1.13 written request to the commissioner to extend the temporary closure.

1.14 (c) Upon written request according to paragraph (b), the commissioner may extend
1.15 the temporary closure of an underground storage tank system for an additional five years
1.16 if the commissioner finds that the system has been in compliance with applicable rules
1.17 adopted under this section, including those relating to temporary closure, for the five years
1.18 that the system was out of service. After the initial five-year extension, the commissioner
1.19 may grant one additional five-year extension according to this subdivision.

1.20 (d) The commissioner shall revoke an extension issued under this subdivision upon
1.21 a finding that the underground storage tank system is no longer in compliance with
1.22 applicable rules adopted under this section.

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2.1 (e) If the commissioner denies an extension under this subdivision, the underground
2.2 storage tank system must be removed or filled according to rules adopted under this
2.3 section.

2.4 (f) An underground storage tank system may not be returned to service without the
2.5 written approval of the commissioner, based on compliance with applicable rules adopted
2.6 under this section.