

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

**S.F. No. 4386**

(SENATE AUTHORS: KORAN)

DATE  
03/30/2022

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OFFICIAL STATUS  
Introduction and first reading  
Referred to Environment and Natural Resources Policy and Legacy Finance

1.1 A bill for an act  
1.2 relating to environment; specifying duties and requiring report for petroleum tank  
1.3 release cleanup program.

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

1.5 Section 1. **PETROLEUM TANK RELEASE CLEANUP; REPORT TO**  
1.6 **LEGISLATURE.**

1.7 The commissioner of the Pollution Control Agency must perform the duties under clauses  
1.8 (1) to (5) with respect to the petroleum tank release cleanup program governed by Minnesota  
1.9 Statutes, chapter 115C, and must, no later than January 15, 2023, report the results to the  
1.10 chairs and ranking minority members of the senate and house of representatives committees  
1.11 with primary jurisdiction over environment policy and finance. The report must include any  
1.12 recommendations for legislation:

1.13 (1) explicitly define the conditions that must be present in order for the commissioner  
1.14 to classify a site as posing a low potential risk to public health and the environment and  
1.15 ensure that all agency staff use the definition in assessing potential risks. In determining  
1.16 the conditions that indicate that a site poses a low risk, the commissioner must consider the  
1.17 biodegradable nature of the petroleum contaminants found at the site and relevant site  
1.18 conditions, including but not limited to the nature of groundwater flow, soil type, and  
1.19 proximity of features at or near the site that could potentially become contaminated;

1.20 (2) develop guidelines to incorporate consideration of potential future uses of a  
1.21 contaminated property into all agency staff decisions regarding site remediation;

2.1 (3) develop measurable objectives that allow the quality of the agency's performance in  
2.2 remediating petroleum-contaminated properties to be evaluated and conduct such evaluations  
2.3 periodically;

2.4 (4) in collaboration with the Petroleum Tank Release Compensation Board, examine  
2.5 whether and how to establish technical qualifications for consultants hired to remediate  
2.6 petroleum-contaminated properties as a strategy to improve the quality of remediation work;  
2.7 and

2.8 (5) in collaboration with the commissioner of commerce, make consultants who remediate  
2.9 petroleum-contaminated sites more accountable for the quality of their work by:

2.10 (i) developing a formal system of measures and procedures by which to evaluate the  
2.11 work; and

2.12 (ii) sharing evaluations with the commissioner of commerce and with responsible parties.

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