

Subject Air Pollution

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### Overview

House File 3146, as amended by the H3146A4 amendment, addresses several issues regarding air pollution. It requires annual reporting of air toxics emissions; requires a cumulative environmental analysis of permit actions that affect environmental justice areas; establishes a pilot program for community air monitoring in environmental justice areas; and directs the PCA to conduct rulemaking to regulate emissions of air toxics.

### Summary

Section	Description
1-4	<b>[116.06] Definitions.</b> Defines terms, including “environmental justice area.”
5	<b>[116.02] Air toxics emissions reporting.</b> Directs the commissioner of the PCA to require facilities that emit toxic chemicals to report the volume of emissions to the agency annually.
6	<b>[116.07] Powers and duties.</b> <b>Subd. 4a. Permits.</b> Requires an analysis of the cumulative environmental and health impacts of a permit issuance or renewal or the incorporation of a major amendment into a permit that may increase pollution levels or toxicity in an environmental justice area, and analysis of the sensitivity of the population of the area required in section 7. The commissioner is responsible for determining whether an environmental justice area will be impacted by a permit action.
7	<b>[116.07] Powers and duties.</b> <b>Subd. 4m. Demographic analysis.</b> Specifies the contents of a demographic analysis to be conducted when a permit action will impact an environmental justice area. Demographic characteristics of the population, health indicators,

Section	Description
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and other environmental stressors to measure the degree of sensitivity of the population to additional exposure to pollutants must be analyzed, if available.

8 **[116.07] Powers and duties.**

**Subd. 4n. Permits; environmental justice area.** Requires a public hearing on a permit application required to conduct a cumulative environmental analysis. The commissioner must determine whether granting the permit action would exacerbate environmental or health impacts on residents of the environmental justice area, and if so, must either deny the permit action or incorporate conditions into the permit to eliminate those impacts.

9 **[116.076] Environmental justice areas; boundaries; maps.**

Requires the commissioner to determine the boundaries of environmental justice areas in the state by December 1, 2022. The determination may be appealed by petition of residents in or near the proposed area. The commissioner must post updated maps of the areas on the agency website.

10 **[116D.04] Environmental impact statements.**

**Subd. 2c. Demographic analysis.** Requires an environmental impact statement that will impact an environmental justice area to conduct the demographic analysis required under section 7.

11 **Community air monitoring system pilot grant program.**

Establishes a pilot program in the PCA to award grants to nonprofit organizations in environmental justice areas partnering with firms experienced in deploying and operating air quality monitors to utilize a variety of low-cost, mobile, and handheld air monitoring equipment to conduct intensive air monitoring at various locations within an environmental justice area. The agency must approve all monitoring equipment used in the project, and must prioritize grant awards to areas with high rates of illness associated with exposure to air pollution. The agency must report project results to the legislature, including any proposed changes in its own air monitoring network as a result of the project and any actions it proposes to take to reduce pollution in the project area.

12 **Rulemaking; air toxic emissions.**

Requires the agency to initiate rulemaking by January 15, 2023, to regulate air toxics emissions. Specifies contents of the rules. Requires permits to incorporate air toxics emission limits into permits once rules are promulgated. Specifies that the cost of the rulemaking is to be recovered through permit fees on holders of air permits, as provided by law.

Section	Description
13	<p data-bbox="313 260 1429 296"><b>Appropriation.</b></p> <p data-bbox="313 306 1429 380">Appropriates \$540,000 from the general fund for the purchase of three toxic air monitors for the PCA.</p> <p data-bbox="313 415 1429 489">Appropriates \$500,000 from the general fund for the community air monitoring system pilot grant program.</p> <p data-bbox="313 525 1429 564">Appropriates \$..... from the general fund for the air toxics rulemaking.</p>



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