

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2273  
**Version:** As introduced

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**Subject:** Environmental permitting, the MPCA Board, and other reforms

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### Overview

This bill makes a number of changes, including:

- establishing a new 60-day minor permit review requirement for the Department of Natural Resources (DNR) and the Pollution Control Agency (PCA);
- prohibiting new water quality standards from being adopted that are more restrictive than federal standards;
- crediting fines resulting from PCA enforcement actions to the general fund; and
- eliminating certain duties of the Minnesota Pollution Control Agency Citizen's (MPCA) Board.

- 1 Permitting efficiency.** Amends § 84.027, subd. 14a. Requires the commissioner of natural resources to review permits issued by the department and provide a list of those permits or permit amendments that are deemed "minor" and subject to a new 60-day review and approval provision. The provision would require the commissioner to act on a minor permit or minor permit amendment within 60 days or the permit would be deemed approved. Requires the list to be updated at least every five years and posted on the department's Web site.
- 2 Water quality standards no more restrictive than federal standards.** Amends § 115.035. Prohibits the commissioner of the Pollution Control Agency from adopting new water quality standards that are more restrictive than federal standards.
- 3 Enforcement funding.** Amends § 115.073. Credits money from fines and other enforcement actions issued by the PCA to the general fund (current law credits the funds to the environmental fund).
- 4 Creation.** Amends § 116.02, subd. 1. Technical. Clarifies law establishing the PCA and the MPCA Citizen's Board.
- 5 Terms, compensation, removal, vacancies.** Amends § 116.02, subd. 2. Technical.
- 6 Membership.** Amends § 116.02, subd. 3. Technical.
- 7 Chair.** Amends § 116.02, subd. 4. Technical.

- 8**        **Required decisions.** Amends § 116.02, subd. 6. Modifies the duties of the MPCA Board by removing its final decision making authority over certain permit, environmental assessment worksheet (EAW), environmental impact statement (EIS), and variance situations. The board's remaining duties would include decisions on the final adoption and amendment of agency rules, and making other decisions and providing advice at the request of the commissioner.
- 9**        **Office.** Amends § 116.03, subd. 1. Technical.
- 10**       **Permitting efficiency.** Amends § 116.03, subd. 2b. Requires the commissioner of the PCA to review permits issued by the agency and provide a list of those permits or permit amendments that are deemed "minor" and subject to a new 60-day review and approval provision. The provision would require the commissioner to act on a minor permit or minor permit amendment within 60 days or the permit would be deemed approved. Requires the list to be updated at least every five years and posted on the agency's Web site.
- 11**       **Duplicative permit information; environmental assessment worksheets.** Prohibits the Environmental Quality Board (EQB) from requiring environmental assessment worksheets from requiring information if it is also required for any permit process unless it is necessary.
- 12**       **Repealer.** Repeals section 116.02, subdivisions 7 and 8, which are no longer needed with the elimination and modification of the duties of the MPCA Board proposed in section 8.