

HOUSE RESEARCH

Bill Summary

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Overview

Currently, rules issued by the Environmental Quality Board (EQB) require the Minnesota Pollution Control Agency (MPCA) to prepare an environmental assessment worksheet (EAW) before a person may construct an ethanol plant with the capacity to produce five million or more gallons per year or expand the production capacity of an existing plant by the same amount. This bill would eliminate this requirement for expansions.

According to the EQB, an EAW is a screening tool to determine whether a full environmental impact statement is needed. The EAW is a questionnaire about the project's environmental setting, the potential for environmental harm and plans to reduce the harm. If the EAW reveals that the ethanol plant could significantly alter the environment, the MPCA may require a more comprehensive environmental review of the proposed ethanol plant, also known as an Environmental Impact Statement (EIS).

Also under EQB rules, an EIS is mandatory for any ethanol plant construction or capacity expansion of 50 million gallons or more per year in the seven-county Twin Cities metropolitan area or 125 million gallons or more per year in greater Minnesota. This bill would not change this EIS requirement.

- 1** **When prepared.** Amends § 116D.04, subd. 2a. Prohibits a mandatory EAW for an expansion of an ethanol plant from being required based on the production capacity of the facility, but still requires an EAW for an expansion of a facility that meets or exceeds other mandatory EAW category thresholds. States that the responsible government unit for an ethanol plant EAW is the state agency with the greatest responsibility for supervising or approving the project.