

CHAPTER 241—H.F.No. 3362

An act relating to environment; modifying petroleum tank release provisions; amending Minnesota Statutes 2008, sections 13.7411, subdivision 6; 115C.02, subdivision 14, by adding a subdivision; 115C.07, subdivision 3; 514.671, subdivision 5.

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

Section 1. Minnesota Statutes 2008, section 13.7411, subdivision 6, is amended to read:

Subd. 6. **Petroleum tank release.** Certain data in connection with a petroleum tank release are classified under section 115C.03, subdivision ~~3~~ 8.

Sec. 2. Minnesota Statutes 2008, section 115C.02, subdivision 14, is amended to read:

Subd. 14. **Tank.** "Tank" means any one or a combination of containers, vessels, and enclosures, including structures and appurtenances connected to them, that is, or has been, used to contain, dispense, or store, ~~or transport~~ petroleum.

"Tank" does not include:

(1) mobile tanks, except for tanks in transport; or

(2) pipeline facilities, including gathering lines, regulated under the Natural Gas Pipeline Safety Act of 1968, United States Code, title 49, chapter 24, or the Hazardous Liquid Pipeline Safety Act of 1979, United States Code, title 49, chapter 29.

Sec. 3. Minnesota Statutes 2008, section 115C.02, is amended by adding a subdivision to read:

Subd. 16. **Tank in transport.** "Tank in transport" means a liquid fuel cargo tank used to deliver petroleum into storage tanks.

Sec. 4. Minnesota Statutes 2008, section 115C.07, subdivision 3, is amended to read:

Subd. 3. **Rules.** (a) The board shall adopt rules regarding its practices and procedures, the form and procedure for applications for compensation from the fund, procedures for investigation of claims and specifying the costs that are eligible for reimbursement from the fund.

(b) The board may adopt rules requiring certification of environmental consultants.

(c) The board may adopt other rules necessary to implement this chapter.

(d) The board may use section 14.389 to adopt rules specifying the competitive bidding requirements for consultant services proposals.

(e) The board may use section 14.389 to adopt rules specifying the written proposal and invoice requirements for consultant services.

(f) Upon written notification from the board of the adjusted dollar amounts determined pursuant to rules of the board, the revisor of statutes must adjust the dollar amounts in appropriate rules of the board to reflect the adjustments announced and published by the board.

Sec. 5. Minnesota Statutes 2008, section 514.671, subdivision 5, is amended to read:

Subd. 5. **Commissioner.** "Commissioner" means the commissioner of the Pollution Control Agency, the commissioner of commerce, or~~and~~ the commissioner of agriculture.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment.

Presented to the governor April 13, 2010

Signed by the governor April 15, 2010, 11:59 a.m.