

S.F. No. 495 – School on Landfill Site Prohibition

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Subdivision 1a. School on landfill site; prohibition; notice. (a) States that no school can be constructed on land that is located within one-quarter mile of a dump site or closed landfill.

(b) Requires that beginning with the 2022-2023 school year, a school that is located within one-quarter mile of a dump site or a closed landfill must annually provide written notice to parents of all students enrolled at the school and to all employees who work at the school stating that the school is located within one-quarter mile of a dump site or a closed landfill.

(c) States that paragraphs (a) and (b) do not apply if:

- (1) soil gas on the school land has been sampled and tested by an independent contractor. If the school is located on a dump site or closed landfill, the land has been sampled and tested for heavy metals and for other materials known or suspected to have been deposited in the dump site or closed landfill; and
- (2) the agency issues a written determination to the school district that the soil testing methods were properly conducted and:
 - i. the level of contamination measured for all chemicals sampled and tested are below the agency's current values;
 - ii. additive health risks from multiple chemicals are below the agency's applicable risk standards and there is no evidence of risk from potential interactions among multiple chemicals; and
 - iii. if the soil is contaminated with methane, the concentration level of methane is below 0.5 percent by volume.

(d) Gives the following definitions for this subdivision:

- (1) defines “agency” as the Pollution Control Agency;
- (2) defines “dump site” as:
 - i. an unpermitted mixed municipal solid waste disposal site identified in the February 2001 Dump Assessment Study report to the legislature;
 - ii. an unpermitted disposal site listed on the agency’s website as a potentially contaminated site; or
 - iii. a site known by a county solid waste officer to have been an unpermitted mixed municipal solid waste disposal site;
- (3) defines “closed landfill” as a site on the agency’s website that is listed as potentially contaminated;
- (4) defines “school” as buildings, playgrounds, and athletic fields used by students at a public school or charter school.

Effective Date: Makes this section effective July 1, 2022.