



## 115E Statute Update for RRT5

May 01, 2024

# Agenda

## Topic

Background of 115E

Statutory Changes with 115E and 219.055

Programming Impacts: Emergency Preparedness and Emergency Response

Round Table Discussion

# 115E Background

**Minn. Stat. §115E:** Under the Environmental Protections Chapters, 115E is an **Oil and Hazardous Substance Discharge Preparedness** statute that focuses on safeguarding against oil and hazardous substance discharges, promoting preparedness, and ensuring effective response measures.

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## 1991 Creation of 115E

- March 3<sup>rd</sup>, Lakehead Pipeline spill of 1.7 million gallons.
- 1991 Legislative session created 115E. To mirror OPA90. However, it did not provide staffing for enforcement.



## 2014 Expansion of 115E

- Created “Preparedness and Response for Certain Railroads.”
  - Required FD training, communication with EMs, response time limits, drills, and preparedness plan reviews
- Included 1 FTE

**Note:** The 2014 expansion of 115E was allowed to sunset in 2017.

# 2023 Statutory Changes

**Minn. Stat. §115E:** 2023 Legislative session expanded 115E again and added 219.055 creating “Incident Emergency Response; Preparedness and Information.” Regulatory changes include:

- Local Government unit training and coordination
- Training for local Fire Departments
- Response capabilities and time limits
- Submit prevention & response plan every three years
- Exercises
  - One walkthrough, tabletop, of functional per year
  - One full scale every five years



# 115E Program Expansion

MPCA has created a new **Emergency Preparedness Unit** and are **hiring additional staff** to work closely with the **Emergency Response Program** and several compliance and enforcement programs within the agency to coordinate and collaborate on statutory requirements.

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## Emergency Preparedness

- Coordination with State Agencies
- Worst-case discharge & Geographic Response planning
- Prevention & Response Plan Reviews
- Exercise planning and participation
- Compliance & Enforcement



## Emergency Response Coordination

- First Responders
- Local Emergency Managers
- State & Federal Agencies
- Railroads & Contractors



# Round Table Discussion

# Thank You!

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