

**STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REORGANIZATION ORDER NO. 173**

Pursuant to Minnesota Statutes 1994, section 16B.37, the following administrative reorganization is made with the prior approval of the Governor.

In order to improve efficiency and avoid duplication in the operation of state government, the Minnesota Pollution Control Agency's powers and duties related to the review of pollution prevention progress reports under Minnesota Statutes 1994, section 115D.08, are transferred to the Emergency Response Commission and the Director of the Office of Environmental Assistance.

Duties transferred to the Emergency Response Commission include, but are not limited to:

1. Review of progress reports for completeness as required in Minnesota Statutes 1994, section 115D.08, subd. 2a.
2. Review of petitions requesting a formal review of a facility pollution prevention plan identified in Minnesota Statutes 1994, section 115D.08, subd. 2b and 2c.

The due date for submittal of progress reports required under Minnesota Statutes 1994, section 115D.08, subd. 1, is changed from October 1 to July 1 in order to allow for progress reports to be submitted with toxic chemical release forms required under United States Code, title 42, section 11023, or Minnesota Statutes 1994, section 299K.08.

Duties transferred to the Director of the Office of Environmental Assistance include, but are not limited to:

1. Review of progress reports for content and prioritization for assistance and recognition under Minnesota Statutes 1994, sections 115D.04, 115D.06, and 115D.08.

All powers and duties of the Minnesota Pollution Control Agency under Minnesota Statutes 1994, section 115D.08 that are necessary or convenient to discharge the duties transferred pursuant to this Order are transferred to the Emergency Response Commission and the Director of the Office of Environmental Assistance.

The Pollution Control Agency shall give to the Emergency Response Commission and the Office of Environmental Assistance all contracts, books, maps, plans, papers, records, supplies, and equipment relating to the transferred duties.

The Emergency Response Commission and the Office of Environmental Assistance are the legal successors in all respects of the Pollution Control Agency in regard to the transferred duties. The bonds, resolutions, contracts, and liabilities of the Pollution Control Agency become the bonds, resolutions, contracts, and liabilities of the Emergency Response Commission and the

Office of Environmental Assistance.

Any proceeding, court action, prosecution, or other business or matter pending on the effective date of the transfer may be conducted and completed by the Emergency Response Commission and the Office of Environmental Assistance in the same manner, under the same terms and conditions, and with the same effect, as though it involved or were commenced and conducted or completed prior to the transfer by the Pollution Control Agency.

The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes 1994, section 16B.37, subdivision 3.

In accordance with Minnesota Statutes 1994, section 16B.37, subdivision 2, this order is effective upon filing with the Secretary of State and shall remain in effect until amended or superseded.

APPROVED:



ARNE H. CARLSON, GOVERNOR

January 17, 1996
DATE



ELAINE S. HANSEN, COMMISSIONER
DEPARTMENT OF ADMINISTRATION

January 18, 1996
DATE

FILED ACCORDING TO LAW:



JOAN ANDERSON GROWE
SECRETARY OF STATE

January 20, 1996
DATE

