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Reduce waste today through innovative resource management.
Reach a waste-free tomorrow by demonstrating that waste is preventable not inevitable.

February 10, 2006

Anne Gelbmann
Minnesota Pollution Control Agency
520 Lafayette Rd N
St. Paul, MN 55155

Dear Ms. Gelbmann:

Thank you for the opportunity to comment on the 2005 Solid Waste Policy Report. We have detailed some questions, concerns and recommendations regarding the information we have read in the January 24, 2006, draft version.

As a nonprofit organization dedicated to demonstrating that waste is preventable, Eureka Recycling provides education, advocacy, and services that show the merits of a recycling and waste reduction efforts. We believe, given the proper funding, attention and vision, that Minnesota can remain a leader in environmental protection. The current draft of the 2005 Solid Waste Policy Report does not provide the direction necessary to significantly reduce waste and provide Minnesota with the those environmental and health benefits.

Overall, we are concerned with the lack of vision outlined in the recommendations. While cities, states and countries all over the world adopt and push forward to more aggressive recycling goals of 75% and more (like Halifax, Nova Scotia; Seattle, Washington; San Francisco, California; Edmonton, Alberta; Ottawa, Ontario; and cities throughout New Zealand, Denmark and Nova Scotia), this report recommends preserving and increasing our capacity to burn trash first, then increasing by some unspecified amount recycling and organics composting.

The main problem with the approach of conserving and increasing trash-burning capacity is that, in Minnesota, it has already depleted most of the funds available for an increase of recycling and organics composting. In Ramsey County alone, the citizens have shouldered a subsidy for trash burning that totals approximately \$10,000,000 annually. Meanwhile the infrastructure for increased organics composting is virtually non-existent. This has crippled the implementation of innovative and proven approaches to true waste reduction.

Policy recommendation #1 should read: *“Preserve existing waste-to-energy capacity while shifting taxpayers resources that are currently collected (bonding, taxes, fees, etc.) toward developing an organics composting infrastructure which will significantly reduce our reliance on disposal through landfilling or incineration.”* This recommendation must

clearly redirect all resources to recycling and composting efforts, so that it cannot be used to covertly support an increase in landfilling. It should ensure that recycling and source separated composting potential cannot be used as an excuse to not fund waste-to-energy (WTE) so that waste can more easily flow to Iowa or Wisconsin landfills.

According to a statewide solid waste composition study commissioned by the Solid Waste Management Coordinating Board (SWMCB), the Minnesota Pollution Control Agency (MPCA) and the Office of Environmental Assistance (OEA), over 60% of the waste entering landfills and incinerators is organic.

Policy recommendation #2 should read: *“Establish new recycling and source separated organics composting goals of 75% by 2015.”* By shifting public dollars towards organics composting infrastructure, Minnesota can experience similar increases in recycling and composting goals like those seen throughout Canada, California and many other parts of the world. In Toronto, the implementation of curbside organics collection resulted in a 14% increase in diversion from 2001 to 2004. Interestingly, recycling pounds per household also increased by 20%. Two years after launching their program, San Francisco went from under 48% to a 67% diversion rate with recycling and organics collection. These cities responded to a state-led vision of comprehensive organics composting, not increased investments in disposal.

In addition to these two recommendations, we have several questions and concerns we would like you to address and clarify in the policy report:

1) WTE and organics diversion should not be joined under one goal: MPCA’s strategic plan, which is referred to in the 2005 Solid Waste Policy Report, joins “waste-to-energy (WTE)/organics” under one goal, “to achieve a 35% rate by 2010” for the two combined. We are confused about the meaning of this combination. The state hierarchy clearly places recycling and source separated composting ahead of and differentiated from WTE. Does this language date back to the failed method of mixed MSW composting? Are source separated composting goals lumped in with recycling or with mixed MSW composting goals? The WTE rate is already at 21% and this policy calls for increased capacity. If the 35% goal includes source separated composting, then we are missing the potential of dramatic diversion through source separated composting that has been demonstrated in many other cities and states, and also right here in Minnesota.

Policy Recommendation: The state should have a distinct source separated composting goal that is not joined in any way with disposal through WTE. Or, the state should dramatically increase the recycling goal to include the potential of source separated composting (as stated above we recommend 75% by 2015).

2) With support, recycling rates can increase significantly: The executive summary mentions that recycling rates have leveled off and waste generation outpaces increases in recycling tons. However, later in the report it states that based on more reliable per-capita estimates, waste generation has declined from the previous year. Furthermore, recycling rates are not stagnant everywhere. For example, we know first-hand that recycling rates have increased in Lauderdale and Saint Paul. We appreciate that it is difficult to reflect recycling status when different communities make dramatically different efforts and apply varying resources to reduce, reuse, recycle and source separate compost. But, this policy should report on more than the average current rate and identify models of current excellence as well as set goals for *potential* recycling rates. Given increased funding, there is no reason to believe recycling rates would not increase.

3) Current funding sources are not always available: It is important to note that SCORE funding has not kept up with the rate of inflation. Additionally, there is a larger amount of money collected through the Solid Waste Management Tax (SWMT) than what is allotted for waste or recycling related programs. We support using more of the increasing revenues from the SWMT, as well as some of the current revenues that are being spent on non-environmental protection uses. We think any increase in SCORE allocations should be spent on increased recycling and source separated composting, not waste management.

4) Revenues from WTE: In the WTE section, we question that accuracy of the statement that revenues generated from WTE facilities stay in Minnesota. Where is this information derived? Is it 100% of all revenues generated that stay in Minnesota?

5) Environmental benefits of recycling are far greater than WTE: We question the accuracy of the statement (under environmental benefits) that WTE is “solving the problem now...not leaving it for future generations.” At best, WTE reduces landfilling by 80% with the remainder going to landfills in a much more concentrated and toxic form. Additionally, although great efforts have been made to clean up these incinerators, WTE still creates harmful emissions. We believe that some WTE facilities are better than some landfills and when that is the case – it may be better to burn trash. However, it is never better or cleaner to burn our resources, with or without energy recovery, compared to recycling them. Minnesota’s solid waste policy should reflect this major difference.

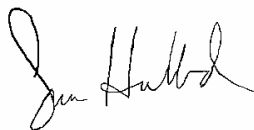
6) Recent funding for WTE facilities is omitted: The status of WTE facilities is uncertain but at all recent relevant meetings, representatives of NRG clearly state that they have no intention of closing and feel the transition to a market-based approach is timely. Recent, large public investments made in new WTE infrastructure and updates to older facilities are not mentioned. Neither is the state subsidy of \$5/ton that is being proposed again this year after lapsing last year.

7) Non-residential organics is not enough: The policy for recycling and organics states that we should focus on non-residential organics recovery. This is not as future-oriented as good policy ought to be. It simply states what is happening now. Every state that has better recycling rates than Minnesota has made a commitment to organics composting—and not just from non-residential sources.

While it is good for the state to recognize the efforts that are already being made and to make it easier for these efforts to succeed, it is critical that Minnesota not stop leading on environmental issues and especially recycling. What legacy is it to have taken a lead but later set it down. Minnesota can and should continue to be a leader in waste reduction.

We would like to study this policy report further and make more specific recommendations but we have had very limited time to provide these comments. We appreciate the effort made to focus some attention on these issues and we welcome the opportunity to discuss these in detail, either in an individual meeting with OEA/MPCA staff or in a larger stakeholder group process. I can be reached at (651) 222-7678.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Hubbard". The signature is fluid and cursive, with the first name "Susan" written in a larger, more prominent script than the last name "Hubbard".

Susan Hubbard
CEO