

January 14, 2022

Representative Rick Hansen
Chair, House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

Re: MLCAT fund repayment and related county priorities

Dear Chair Hansen,

The Partnership on Waste and Energy (Partnership) is a Joint Powers Board consisting of Hennepin, Ramsey and Washington counties formed to address waste management and energy issues. The Partnership seeks to end waste, promote renewable energy and enhance the health and resiliency of communities we serve while advancing equity and responding to the challenges of a changing climate.

The Partnership appreciates the opportunity to highlight the importance of the Metropolitan Landfill Contingency Action Trust (MLCAT) in protecting public health and the environment. We applaud the Chair and the committee for examining information from the Minnesota Pollution Control Agency (MPCA) and others about the critical needs resulting from landfill pollution that MLCAT is meant to address.

The Partnership testified last year in support of H.F. 836 (Richardson, Hansen) to transfer \$13.905 million from the general fund to fully repay the MLCAT account by June 30, 2022 and address urgent, costly needs at landfills, after the MLCAT account had been raided twice since 2003 to balance the general fund budget.

The Partnership subsequently testified in support of the House Environment and Natural Resources Finance omnibus bill for its action to restore a smaller portion of the borrowed funds. We encouraged full repayment on a faster timeline than proposed in the bill.

The funding agreed to in 2021 Special Session Law Chapter 6 to provide annual repayment of \$100,000 starting in FY 2022 is a welcome but inadequate action to restore borrowed MLCAT funds. This funding falls far short of what is urgently needed now and in the coming years to protect public health by addressing short- and long-term care needs at metro area landfills, including four landfills in the counties represented in the Partnership.

The Partnership urges the committee to secure full repayment of the MLCAT account in the 2022 session. In addition, the Partnership encourages the committee and its members to advocate for and prioritize pollution prevention funding needs in the upcoming session to minimize the use of landfills, promote wise use of resources to protect public health and the environment and grow the state's economy. These priorities include:

- Increase SCORE recycling grants to counties via H.F. 2367, authored by Rep. Hornstein. Doing so will have a significant impact on counties' ability to reduce and prevent waste going into landfills, foster reuse and recycling of valuable materials into

our economy, divert more organics from the waste stream and prevent environmental pollution from landfills.

- **Fund capital projects.** Counties need state partnership to build the required infrastructure to prevent landfilling waste. For example, capital investment funds will be requested this session for an anaerobic digestion facility in Hennepin County that would start to relieve the stressed capacity in the metro area to recover and manage food waste and other organics. Increasing the current per project cap in the MPCA's Capital Assistance Program and opening up eligibility to new kinds of public projects will also give counties stronger leverage to increase recycling and reuse and prevent landfilling of waste.
- **Meet the emerald ash borer (EAB) challenge.** The committee has frequently heard what serious consequences the state faces with the rapidly spreading emerald ash borer destroying community and managed forests. Thirty counties now face Department of Agriculture ash quarantines. With St. Paul Cogeneration's ability to use wood waste at the District Energy facility only assured through 2024, urgent attention is needed on this issue. This includes boosting community grants that slow the spread of EAB, expanding the markets for using wood from EAB-threatened and infected trees, and setting out a state-level, coordinated planning process to address wood waste management like what exists for other waste streams.
- **Strengthen the Closed Landfill Investment Fund (CLIF).** While the 2021 legislature set up an annual limit of up to a \$4.5 million allocation, with limited emergency use as determined by MPCA, the CLIF doesn't have enough funding to clean up and permanently maintain the landfills that are in the program as well as others anticipated to be added in the future.

Sincerely,



Commissioner Fran Miron, Washington County
Chair, Partnership on Waste and Energy

cc: Peter Strohmeier, Committee Administrator
Commissioner Debbie Goettel, Hennepin County
Commissioner Victoria Reinhardt, Ramsey County
House Environment and Natural Resources Policy and Finance Committee members