



Expanding Renewable Energy and Recycling: Restrictions on Disposal of Metropolitan Area Waste

Minn. Stat. §473.848

January 2012



The Minnesota Pollution Control Agency is responsible for implementing statutes related to the management of solid waste generated and disposed of within the state. The Restriction on Disposal statute (Minn. Stat. §473.848) prohibits the land disposal in Minnesota of processible mixed municipal solid waste (MMSW) generated in the seven-county metropolitan area. MMSW processing facilities have been built to recover energy and recyclable materials from MMSW. Currently, 800 tons per day of processible processible MMSW is bypassing processing facilities and being landfilled. Restricting land disposal of processible MMSW will extend the life of existing landfills.

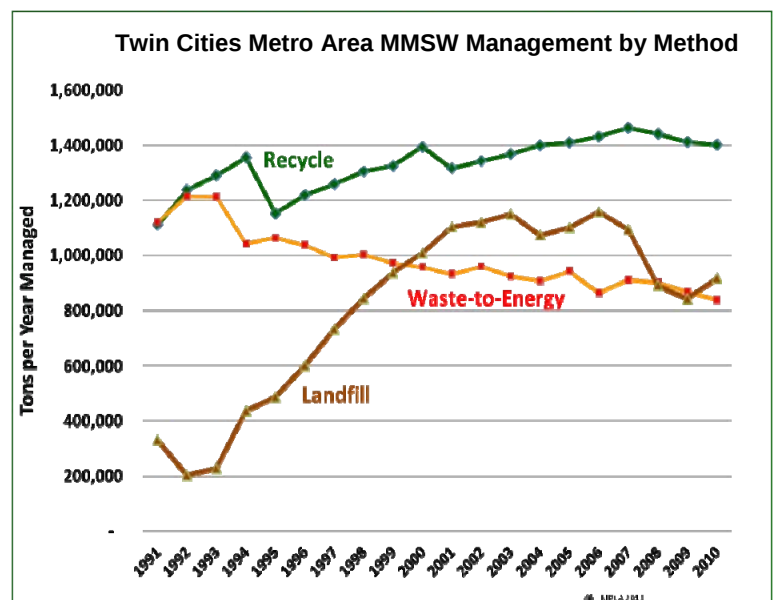
In 2010, the MPCA adopted the Metro Area Solid Waste Policy Plan (Policy Plan) in accordance with Minnesota statute §473.149. The Policy Plan contains criteria for determining if MMSW is processible or unprocessable. Waste is considered unprocessable if all processing facilities serving the metropolitan area are operating at full capacity. In addition to supporting the full utilization of permitted MMSW processing capacity, the Policy Plan sets goals for abatement of land disposal through waste reduction, re-use, recycling and organic materials recovery. Metropolitan counties are required to amend their county solid waste master plans by 2012 to implement the Policy Plan.

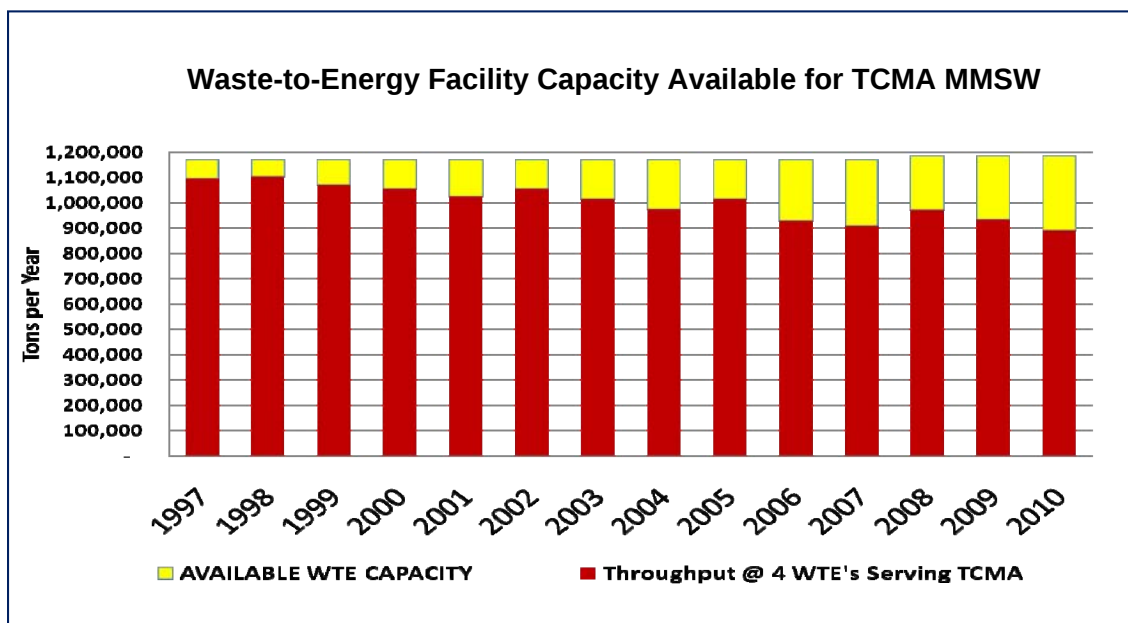
More than 60% of Minnesota's garbage is generated in the seven-county metropolitan area. The statutory restriction on disposal of MMSW does not extend to waste generated in counties located outside the metropolitan area. The MPCA is implementing this requirement by amending solid waste permits for landfills and resource recovery facilities that accept waste generated in the metropolitan area.

Benefits

Implementation may have the following results:

- Increase renewable energy generation
- Preserve scarce landfill capacity
- Increase recycling of ferrous and non-ferrous metals
- Reduce landfilling of nearly 300,000 tons per year
- Fully utilize existing processing capacity
- Reduce processing costs per ton due to optimization





Framework of mandate

MPCA will implement Minn. Stat. § 473.848 by amending the permits for Minnesota landfills and resource recovery facilities serving the Twin Cities metropolitan area. The landfills may accept unprocessed metropolitan area MMSW if the resource recovery (processing) facilities have sufficient waste to run at full capacity.

Landfills and resource recovery facilities will report monthly the data currently collected from waste haulers for MPCA annual landfill reports and for county annual reports on the MMSW's county of origin. Landfills will be able to monitor processing facility capacity availability to determine if MMSW should be accepted for landfill disposal. Compliance with Minn. Stat. § 473.848 and conditions in the landfill and resource recovery permits will be determined by the MPCA through a comparison of required monthly reports from the landfills and processing facilities. Compliance does not require the construction of new processing facilities, only the full utilization of capacity at existing facilities and the restriction on disposal of unprocessed waste in landfills. Landfills will continue to operate.

Facilities most impacted by Minn. Stat. § 473.848

Allied Pine Bend Landfill	Located within 7 county Metro Area
WMI Burnsville Landfill	Located within 7 county Metro Area
WMI Elk River Landfill	Located in Greater MN
WMI Spruce Ridge Landfill	Located in Greater MN
Newport	Large refuse derived fuel facility
City of Red Wing	Small waste-to-energy facility
Great River Energy	Large refuse derived fuel facility
HERC	Large Mass Burn facility
Xcel Energy	Power Plants in Mankato and Red Wing

Impact on recycling and renewable energy

The full use of available processing systems will increase recycling and renewable energy production. Each processing plant recovers and recycles metals contained in MMSW. MPCA anticipates that about 800 added tons per day of MMSW will be diverted from land disposal through processing. This will increase the production of renewable energy at facilities that generate electrical power or steam from waste combustion. Operating power plants at full capacity lowers costs and increases efficiency.

Statutory and Regulatory Framework

Minnesota Statute §473.848 and the 2010 Metropolitan Solid Waste Management Policy Plan 2010-2030 contain the legal and regulatory framework for ensuring that processible MMSW is processed, thereby creating additional renewable energy and recovering recyclable materials from MMSW.