

April 7, 2021

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

Re: Support for H.F. 1076

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. We appreciate the opportunity to express support for several provisions of H.F. 1076, as well as articulate concerns that we hope will result in a bill that will work even better for Minnesota.

### **Carpet Product Stewardship**

The Partnership strongly supports the provision in Article 4, Section 45 to task the MPCA with developing a carpet product stewardship plan with the assistance of a stakeholder task force and public engagement. The Partnership strongly supports product stewardship and the goal of valuing carpet as a resource for recycling. We look forward to participating in the planning process for a product stewardship system that reduces the life cycle impacts of carpet and the burdens faced by local government and Minnesota residents in dealing with waste carpet.

### **Compostable Products Certification and Labeling**

The Partnership supports provisions in Article 4, Section 40 that expand the current compostable plastic bag labeling standards law to all food or beverage products and packaging, that establish science-based certification requirements for composability claims and that require clear identification of products claiming to be certified as compostable.

These provisions are an important step toward achieving the sustainable organics recycling system that is necessary for reaching the 75% recycling goal. We believe these provisions will be valuable in that effort in multiple ways, including the following.

- Give consumers, food establishments and others confidence about which products are truly compostable and can be diverted from trash for composting.
- Increase the volume of organic wastes that will be diverted for composting and other organics management technologies, such as anaerobic digestion.
- Provide more assurance that organic material delivered to compost sites is clean and ready to compost.

- Help compost sites cost-effectively produce quality compost and increase marketability for use in landscaping, road construction and gardens. This is the key to closing the loop on organics recycling.

### **MPCA Environmental Justice Authority**

The Partnership's legislative platform articulates the desire to enhance the health and resiliency of communities we serve while advancing equity. As such, we support the intent of Article 4, Sections 9, 30 and 34 to expand the MPCA's authorities to define and advance environmental justice in the course of its permitting and enforcement activities, to examine cumulative impacts and to engage with communities and community members and act on community concerns in the permitting process.

### **Food Rescue, Food Waste Reduction and Organics Diversion Funding**

The Partnership appreciates continued funding for efforts to rescue more edible food before it becomes waste, to prevent food waste, to reduce barriers to collecting and recovering organic waste and to divert organics to higher and better uses than waste-to-energy facilities and landfills. Over 25% of the trash stream is food and other organic materials that must be prioritized for recovery to meet ambitious recycling goals and realize significant reductions in greenhouse gas emissions from the waste stream.

### **PFAS in Food Packaging**

The Partnership is very concerned about the persistent presence of PFAS in the state's land, water and other resources. We support the initiative in Article 4, Section 41 to address PFAS in food packaging as a strategy to protect public health and reduce the potential for PFAS to appear in waste materials and facilities managing those materials.

### **Reducing Sources of PFAS in Solid Waste Facilities**

The Partnership supports funding an initiative to reduce sources of PFAS that show up in wastewater treatment and solid waste facilities. The Partnership is pleased to be included in the advisory group supporting the work of the state agencies and others to create this initiative.

### **Environmental Trust Fund Projects**

#### ***Community Forests Infected by Emerald Ash Borer (EAB)***

The Partnership strongly supports funding to communities bracing for the growing expense of the emerald ash borer (EAB) infestation, which is now identified in at least 27 Minnesota counties and continues to spread. Grants to communities to manage EAB and restore urban canopy are critically needed as we approach the peak years of this threat.

#### ***EAB Impacts in Black Ash Forests***

The Partnership supports the grant to the University of Minnesota to study the statewide impacts of EAB on water, vegetation and wildlife. This is particularly urgent in North Central Minnesota where millions of black ash trees that soon be in the path of the EAB.

### ***Food Rescue for Greenhouse Gas Reduction***

The Partnership supports providing funding to Second Harvest Heartland, a partner to member counties in the fight against food waste. This provision has the added benefits of making more food available for those in need and reducing greenhouse gas emissions from food that otherwise would decompose in landfills.

### ***Eco-Friendly Plastics from Lignin***

The Partnership supports the appropriation for the development of eco-friendly plastics from lignin produced at the Cloquet Pulp Mill. This alternative material will lead to products which remain stable while in the marketplace but which degrade much more rapidly following their use.

### ***Jobs Through Waste Diversion and Reuse***

The Partnership is particularly excited to see funding for projects focused on reuse of household goods, building materials and other products. The project with Better Futures Minnesota and the Natural Resources Research Institute is a significant strategy to avoid losing valuable resources and to reduce greenhouse gas emissions from what would otherwise be waste from remodeling, construction and demolition activities. This effort will concurrently provide valuable opportunities for individuals who otherwise face barriers in securing stable, good paying jobs. Likewise, funding for ReUSE Minnesota advances an important strategy to reduce waste, keep materials in use and support job growth in established and emerging reuse businesses and non-profit organizations.

### ***PFAS***

The Partnership supports funding to help landfills and compost facilities develop strategies to manage PFAS in land-applied biosolids and to work with the private waste industry to demonstrate the potential for innovative technologies to address PFAS from point sources such as landfills.

## **Community Ash Grants**

Given the scale of effort required to address EAB as suggested above related to funding EAB-related trust fund projects, the Partnership is pleased to see appropriations for community grants for planning, tree replacement and canopy diversification as found in Article 1, Section 3, Subd 4 (j). The Partnership urges the legislature to identify additional resources to slow the spread of EAB and appropriately manage disease-affected trees.

## **SCORE Funding Increase**

The Partnership strongly supports providing counties across the state additional resources to bring to bear on reducing, reusing and recycling waste to achieve state goals and policy in the Waste Management Act, including the very ambitious goal of 75% recycling by 2030 for metro area counties. The Partnership requests an increase from current funding levels of \$17.75 million for FY 2022 and 2023 to increase diversion of valuable resources from landfills, bring more jobs to manufacturing and other sectors and further reduce greenhouse gases by moving more quickly to a circular economy.

## **E-Waste Recycling**

Article 4, Sections 11-16 update the electronic waste recycling statutes to achieve manufacturer reporting requirements and regulatory oversight and enforcement sought by the MPCA. The Partnership can support this effort by the MPCA and strongly encourages the MPCA to work with counties and others to bring additional legislation forward that would more significantly reform the state's electronic waste recycling system. Unlike programs in some other states, Minnesota's e-waste recycling law has never shifted the costs of the program from counties to the producers and purchasers of electronic products. We look forward to participating in an effort that seeks legislative support for a product stewardship system for e-waste that addresses significant cost burdens counties now face, reflects current and future challenges in managing unwanted electronic products and, most importantly, better serves Minnesota residents.

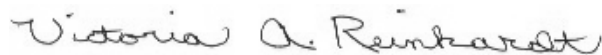
## **Metropolitan Landfill Contingency Action Trust**

The Partnership encourages the committee to fully incorporate the language from H.F. 836 into H.F. 1076 to allow the transfer \$13.905 million from the general fund to fully repay the metropolitan landfill contingency action trust (MLCAT) account by June 30, 2022.

The provision in Article 1, Section 2, Subd. 9(a) of H.F. 1076 is a welcome but inadequate action to restore funds borrowed from the MLCAT account used to balance the general fund budget since 2003. The transfer of \$1.125 million annually starting in FY 2024 falls far short of the funding 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 in the counties represented in the Partnership.

Thank you for the opportunity to present the Partnership's positions on H.F. 1076. We stand ready to work together to advance these important issues for the benefit of our communities and the state.

Sincerely,



Commissioner Victoria Reinhardt, Ramsey County  
Chair, Partnership on Waste and Energy

C. Peter Strohmeier, Committee Administrator  
Commissioner Debbie Goettel, Hennepin County  
Commissioner Fran Miron, Washington County