

MEMORANDUM

April 28, 2023

Representative Rick Hansen
Representative Patty Acomb
Representative Athena Hollins
Representative Sydney Jordan
Representative Larry Kraft

Senator FOUNG Hawj
Senator Nick A. Frentz
Senator Jennifer A. McEwen
Senator Tou Xiong
Senator Julia E. Coleman

Dear Members of the Environment, Natural Resources, Climate, and Energy Conference Committee (H.F. 2310/S.F. 2438):

The Partnership on Waste and Energy (Partnership) is a Joint Powers Board (Hennepin, Ramsey and Washington counties) formed to address waste management and energy issues. We seek 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 express support for several provisions of H.F. 2310 that will have significant impact on protecting public health and the environment and help counties be more successful in reaching challenging statutory waste management goals.

Priority Provisions for Full Funding

- **Emerald Ash Borer (EAB) response.** The joint Senate-House Environment committee hearing on emerald ash borer earlier this session illustrated that comprehensive funding is needed to address the ongoing threats from EAB, and we strongly support *House Art. 1, Sec. 3, Subd. 4(m); Art. 4, Sec. 40; and House Art. 1, Sec. 2, Subd. 7(w)*:
 - \$28 million for St. Paul Cogeneration urgently needed now to maintain the ability of this facility to handle 2/3 of the region's wood waste. No other capacity is currently available to absorb this volume of material. Closure of this facility would leave communities no option but stockpiling or open burning of hundreds of thousands of tons of wood waste, creating major public health and safety hazards.
 - \$9 million for grants to communities burdened by costs to respond to EAB. A simple change is needed in Subd. 4 to clarify that treatment, removal and replacement of EAB-affected ash trees are eligible expenditures, conforming to the language in the Purpose and Establishment subdivisions of Section 40.
 - \$4 million for a wood dehydrator at Koda Energy to help manage wood waste.
- **Increased SCORE grant funding.** The Partnership appreciates the appropriation of additional SCORE recycling grants in both bills and supports the Senate increase in base funding on an ongoing basis. Increased SCORE funding is foundational to waste reduction, reuse, recycling and composting efforts needed to meet state mandates. *Senate Art. 1, Sec. 2, Subd. 7(d)*.

- **Increased solid waste permitting capacity.** The Partnership strongly supports an increase to base funding for the MPCA’s Resource Management and Assistance Division to address backlogs in solid waste permitting. Counties rely on the Agency to make timely decisions on permits for facilities to divert waste, including food waste, from landfills and waste-to-energy facilities to meet the state’s waste management mandates. Long delays risk project viability and missed federal grant opportunities for necessary projects. *Art 1, Sec. 2, Subd. 7.*
- **Waste Prevention, reduction and recycling grants and loans.** The Partnership supports several provisions that will help meet state mandates and address food waste, develop stronger markets for recyclables and wood waste, and support a variety of other waste prevention and reuse activities by counties and our community partners. *House Art. 1, Sec. 2, Subd. 7 (e-g, p); Senate Art. 1, Sec. 2, Subd. 7 (e-g, q).*

Other Provisions We Support

The Partnership supports many other provisions in both bills, including:

- Updates to the Minnesota Pollution Control Agency’s Capital Assistance Program.
- Repay the Metropolitan Landfill Contingency Action Trust.
- Compostable products and packaging standards and labeling requirements.
- Implementing Minnesota’s PFAS Blueprint and reducing sources of PFAS.
- Funding the Pig’s Eye Landfill Task Force.

Concerns

- **Zero-waste grant program.** The Partnership supports this program to advance strategic efforts for achieving zero waste. However, we encourage removal of new definitions that conflict with other statutory definitions, and we recommend using an MPCA-determined definition of zero waste that supports landfill diversion, consistent with the waste management hierarchy elsewhere in statute. *House Art. 3, Sec. 12.*
- **Path to Zero Waste Study.** The Partnership has supported a study that includes a pathway for the state to achieve zero waste. However, we cannot support the version in this bill without changes to assure an objective examination of environmental impacts across the full range of considerations involved in moving closer to zero waste, in a way that more inclusively accounts for the role of all management strategies in the state’s waste management hierarchy. *House Art. 3, Sec. 49.*

Thank you for the opportunity to present the Partnership’s positions as the committee creates an omnibus bill that best advances state public health and environmental protection goals. For further information on these and other Partnership positions, please contact Rob Vanasek at Capitol Hill Associates (rob@capitolhillassoc.com; 612-964-4876) and Sam Richie at Fryberger (srichie@fryberger.com; 218-301-9758).

Sincerely,



Commissioner Debbie Goettel, Hennepin County
Chair, Partnership on Waste and Energy