

MEETING NOTICE
PARTNERSHIP ON WASTE AND ENERGY BOARD

Date: Thursday, June 15, 2023

Time: 2:30-4:00 p.m.

Commissioners, Key staff, Presenters:

Ramsey County Environmental Health | 2785 White Bear Ave N. | 2nd Floor Conference Room
Maplewood, MN 55109 | [Map](#)

Public: Members of the public are encouraged to participate remotely or may attend at the Maplewood address.
[Microsoft TEAMS](#) | Phone Conference ID: 705 464 668# | Call In (audio only): 1-323-792-6297

AGENDA

1. **Call to Order, Introductions**
2. **Approval of Agenda** Action Page 1
3. **Approval of Minutes – February 9, 2023** Action Page 2
4. **Business**
 - a. Alternate to the Partnership Board Information Page 5
 - b. Changes to Board Meeting Schedule Action Page 6
5. **Updates and Reports** Information Page 9
 - a. Legislative Session Update
 - b. 2022 Partnership Annual Report Page 20
6. **Other**
7. **Adjourn**

NEXT MEETING

Thursday, September 21, 2023 | 2:30-4:00 p.m. | Ramsey County Environmental Health, Maplewood

THURSDAY, FEBRUARY 9, 2023
PARTNERSHIP ON WASTE AND ENERGY BOARD

A meeting of the Partnership on Waste and Energy Board (PWE) was held at 1:00 p.m. on Thursday, February 9, 2023. Commissioners and staff participants met at the Ramsey County Environmental Health Office, 2785 White Bear Avenue North, Maplewood, Minnesota. Other participants and the public joined remotely.

MEMBERS PRESENT

Commissioner Debbie Goettel – Hennepin County
Commissioner Victoria Reinhardt – Ramsey County
Commissioner Fran Miron – Washington County

ATTENDING AT RAMSEY ENVIRONMENTAL HEALTH, MAPLEWOOD

Mallory Anderson, Karla Bigham, Leigh Behrens, Max Dalton, Dan Donkers, Rae Eden Frank, Jamie Giesen, Cassie Hagen, Dave McNary, Jim Redmond, Michael Reed, John Ristad, Bob Roche, Jody Tharp, Britta Torkelson, Rob Vanasek

PARTICIPATING REMOTELY

Sam Richie

ATTENDING REMOTELY

Alison Cameron, Tutu Fatukasi, Sam Ferguson, Sam Hanson, Jennefer Klennert, Juna Ly, Leslie Duling-McCollam, Andrea McKennan, Jennifer Nguyễn Moore, John Springman, Ryan Tritz, Caleb Werth, Joua Yang

CALL TO ORDER AND APPROVAL OF AGENDA

Chair Goettel called the meeting to order at 1:01 p.m. Introductions of attendees in Maplewood were made. Commissioner Reinhardt moved, seconded by Miron, to approve the agenda as presented. Motion passed 3-0. Ayes: Goettel, Miron, Reinhardt Nays: None

APPROVAL OF MINUTES

Commissioner Miron moved, seconded by Reinhardt, to approve the minutes of December 14, 2022. Motion passed 3-0. Ayes: Goettel, Miron, Reinhardt Nays: None

BUSINESS

Governing Board Leadership for 2023

Dave McNary, Hennepin County and PWE lead staff, introduced the PWE leadership for 2023.

- The Hennepin County Board appointed Commissioner Goettel to the second year of a two-year term at its January 3, 2023, organizational meeting.
- The R&E Board appointed Commissioners Miron and Reinhardt to the second year of two-year terms at its January 25, 2023, organizational meeting.
- PWE leadership rotates annually by county name; as such, the 2023 PWE chair is Hennepin County Commissioner Goettel, and vice chair is Ramsey County Commissioner Reinhardt.
- The Hennepin County Board appointed Commissioner LaTondresse, and the R&E Board appointed Commissioners Karwoski and MatasCastillo as alternate board members for two-year terms through 2024.

UPDATES AND REPORTS

Legislative Session Update

Michael Reed, Ramsey County, PWE lead staff and R&E Joint Leadership Team (JLT), introduced legislative updates to be provided by Sam Richie, Fryberger, and Rob Vanasek, Capitol Hill.

Commissioner Reinhardt proposed that a motion be put forward regarding legislation and support through the Partnership. A bill has been jacketed for \$50 million in bonding for an anaerobic digestion (AD) facility to be built by Hennepin County. Ramsey County is drafting a bill requesting \$30 million in funding for the R&E Center to contract construction of a vendor-owned AD facility. A vendor recommendation will go to the R&E Board for approval on March 1, 2023.

Commissioner Reinhardt said it would be beneficial for PWE to support each of the bills moving forward because the AD goal is the same. Commissioner Goettel said the only way to be successful is for the state to put the money behind some of the projects the counties have proposed. She agrees support from the PWE would be helpful and will draft a letter on behalf of PWE in support of the two bills.

Commissioner Reinhardt moved that the PWE support both the Hennepin County AD bonding proposal and the R&E funding proposal upon completion of its drafting, seconded by Commissioner Goettel.

Motion passed 3-0. Ayes: Goettel, Miron, Reinhardt Nays: None

Sam Richie, Fryberger, provided a legislative update. There are over 1,500 bills in both bodies, committee deadlines are March 10, 2023, and the governor's bill has been released. He provided updates on funding proposals for a DNR reforestation project and MPCA's resource management which specifically call out ERP and wood waste issues. He also discussed the status of clean fuel standards.

Rob Vanasek, Capitol Hill, provided an update on other legislative efforts. The top three priorities for legislative work are pursuing SCORE dollars, EAP dollars and wood waste management. Bills are coming on e-waste, mattresses, advanced recycling, chemical recycling and a bottle bill. The Second Chance Recycling facility is part of the Legislative-Citizen Commission on Minnesota Resources (LCCMR) bill.

Commissioner Goettel shared information about PFAS being banned in Europe and asked what a potential ban would look like in Minnesota. Vanasek shared that the intent is to ban all non-essential use of PFAS. Maine has enacted a law and is working on figuring out what is non-essential. Work is also being done at the federal EPA level on a PFAS ban.

Extended Producer Responsibility (EPR) Update

Mallory Anderson, Hennepin County, provided an overview of work progressing on an EPR bill. The proposed law extends a producer's financial and managerial responsibility for its products and packaging beyond the manufacturing state, both upstream to product design and downstream to post-consumer use, recycling or safe disposal. Several states have laws that have been passed or are in progress. Maine, Oregon and Colorado are in their implementation phase, with California close behind.

Commissioner Reinhardt stated that at implementation, it's critical that funding from the producers come to the counties to cover the cost of recycling/reuse. It's also important that funding is for all counties and not negotiated with individual counties. The inclusion of funding is critical for any bill, otherwise it's a law that's toothless, or worse, it appears that something's being done, but it's not.

Anderson reviewed the project timeline from September 2021 through 2023, identified the EPR for Packaging Committee members, and reviewed the legislation's goals. Impacts of the legislation include

that covered materials include all types of packaging, printed paper and office paper and single-use products; development of a statewide recycling list establishing what must be collected and recycled; requires producers to pay based on the environmental impact of their packaging using an eco-modulated fee.

Funding the system would include a new producer responsibility organization that would collect fees to cover statewide needs assessment, recycling system costs, ensure recycling collection across the state, infrastructure investments, market development, outreach and education and administrative costs for MPCA.

Governance includes forming a 501(c)(3) producer responsibility organization (PRO), MPCA oversight and enforcement and an advisory council appointed by the MPCA. A 16-person board is being proposed which would include materials recovery facilities, local government (cities & counties), haulers, retailers, manufacturers, reuse industry and environmental justice non-profits balanced across the state.


ADJOURN

Chair Goettel asked for motion to adjourn. Commissioner Miron moved, seconded by Reinhardt, to adjourn. Motion passed 3-0. Ayes: Goettel, Miron, Reinhardt Nays: None

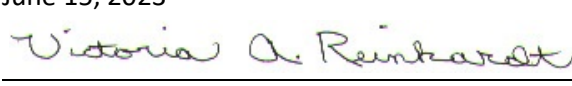
Meeting adjourned at 2:24 p.m.

ATTESTED TO:

Approved: _____


Commissioner Goettel, Chair
June 15, 2023

Approved: _____


June 15, 2023

PARTNERSHIP BOARD MEETING DATE:		June 15, 2023		AGENDA ITEM:		4.a	
SUBJECT:		Alternate to the Partnership Board					
TYPE OF ITEM:		<input checked="" type="checkbox"/>	INFORMATION	<input type="checkbox"/>	POLICY DISCUSSION	<input type="checkbox"/>	ACTION
SUBMITTED BY:		Partnership Lead Staff					

BOARD ACTION REQUESTED:

Information only.

EXECUTIVE SUMMARY:

Information from February 9, 2023, PWE meeting:

The Partnership's alternate board members serve a two-year term through 2024. The Hennepin County Board appointed Commissioner LaTondresse as the alternate for the Partnership Board at its organizational meeting on January 3, 2023. The R&E Board appointed Commissioner Karwoski and Commissioner MatasCastillo as alternates for the Partnership Board at its organizational meeting on January 25, 2023.

March 1, 2023:




The R&E Board rescinded the appointment of Commissioner Karwoski and appointed Commissioner Bigham as alternate for the Partnership Board.

ATTACHMENTS:

None.

FINANCIAL IMPLICATIONS:

None.

AUTHORIZED SIGNATURES		DATE
Hennepin County		6/6/23
Recycling & Energy		6/6/23
		6/6/23

PARTNERSHIP BOARD MEETING DATE:		June 15, 2023		AGENDA ITEM:		4.b	
SUBJECT:		Changes to Board Meeting Schedule					
TYPE OF ITEM:		<input type="checkbox"/>	INFORMATION	<input type="checkbox"/>	POLICY DISCUSSION	<input checked="" type="checkbox"/>	ACTION
SUBMITTED BY:		Partnership Lead Staff					

BOARD ACTION REQUESTED:

Approve amended board meeting schedule for 2023.

EXECUTIVE SUMMARY:

The Amended and Restated Joint Powers Agreement dated March 27, 2018, Section 5.3.1 states the following related to governing board meetings:

The Board shall meet a minimum of three times a year, including an organizational meeting in January, a meeting following the legislative session, and a meeting in the fall to set the next year's legislative platform.

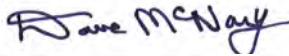
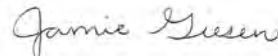



The established 2023 board meeting needed to be amended due to schedule conflicts. The attached schedule identifies dates and times for the known board meetings.

ATTACHMENTS:

1. Resolution
2. 2023 PWE Board meeting schedule

FINANCIAL IMPLICATIONS:

None.

AUTHORIZED SIGNATURES		DATE
Hennepin County		6/9/23
Recycling & Energy		6/9/23
		6/8/23
Ramsey County Attorney		6/8/23
Washington County Attorney		6/8/23

Draft Resolution PWE-2023-01

Changes to 2023 Board Meeting Schedule

WHEREAS, The Partnership on Waste and Energy (Partnership) between the Ramsey/Washington Recycling & Energy Board (“R&E”) and Hennepin County is governed by the Amended and Restated Joint Powers Agreement (“JPA”) dated March 27, 2018; and

WHEREAS, The Partnership JPA states that the board shall meet on a regular basis, with an annual schedule determined at its organizational meeting in January. NOW, THEREFORE, BE IT

RESOLVED, The Partnership on Waste and Energy Board approves the amended 2023 Partnership Board meeting schedule.

Chair, Governing Board
June 15, 2023

Attest, Vice Chair
June 15, 2023



2023 MEETING SCHEDULE

Thursday, February 9

1:00-2:30 PM | Ramsey County Environmental Health Offices – Maplewood

Thursday, June 15

2:30-4:00 PM | Ramsey County Environmental Health Offices – Maplewood

Thursday, September 21

2:30-4:00 PM | Ramsey County Environmental Health Offices – Maplewood

Thursday, November 30

1:00 PM – 2:30 PM | Hennepin Energy Recovery Center (HERC) – Minneapolis

Ramsey County Environmental Health Offices

2785 White Bear Ave. N. | Ste. 350 | 2nd Floor Conference Room | Maplewood, MN 55109

Hennepin Energy Recovery Center (HERC)

505 N. 6th Ave. | Minneapolis, MN 55405

PARTNERSHIP BOARD MEETING DATE:	June 15, 2023		AGENDA ITEM:	5.	
SUBJECT:	Updates & Reports				
TYPE OF ITEM:	<input checked="" type="checkbox"/>	INFORMATION	<input type="checkbox"/>	POLICY DISCUSSION	<input type="checkbox"/> ACTION
SUBMITTED BY:	Partnership Lead Staff				

BOARD ACTION REQUESTED:

For information only.

EXECUTIVE SUMMARY:

Legislative Update

The 2023 regular legislative session concluded on May 22, 2023. Partnership staff and lobbyists will provide a brief report and answer questions. Summaries of the session and bills of interest have been provided by Capitol Hill Associates and Fryberger Law Firm.

2022 PWE Annual Report

Staff will present an overview of the Partnership on Waste and Energy (PWE) annual report. Highlights from 2022 include:

- Legislative work
- Product stewardship
- Wood waste market development
- Anaerobic digestion

Staff will present the report at this meeting.

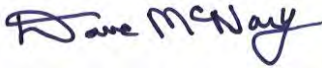


ATTACHMENTS:

1. Memo from Capitol Hill Associates
2. Memo from Fryberger Law Firm
3. 2022 Partnership Annual Report

FINANCIAL IMPLICATIONS:

None.

SUBJECT: *Updates & Reports*

AUTHORIZED SIGNATURES		DATE
Hennepin County		6/6/23
Recycling & Energy		6/6/23
		6/5/23



PARTNERSHIP ON
WASTE AND ENERGY
HENNEPIN | RAMSEY | WASHINGTON

Legislative Update – June 2023

Waste Issues

Submitted by Rob Vanasek, Sam Walseth and Britta Torkelson, Capitol Hill Associates, Inc.
On behalf of the Partnership on Waste and Energy Team

Our June 2023 Legislative Update is a stark contrast and the inverse of 2022's update as you review the volume of provisions we worked on that were enacted versus not enacted year over year. The 2023 session overall has been hailed the most productive session in either a decade or a half century depending on who you talk to. This correspondingly applies to many issues of direct interest to the Partnership. The record-setting volume of legislation and the speed at which the DFL trifecta marched through it kept everyone at the capitol complex working more hours, more intensely than ever.

We want to thank Chair Goettel and leadership staff for their contributions and work with some of the shortest public input timelines and opportunities those engaged in the legislative process have been subject to. We appreciated all of our board members testifying or being willing to testify with very short notice. It was good to see Commissioners and staff at the Capitol for testimony and office visits amongst all the new legislators and legislative staff.

Many provisions we advocated for strongly were enacted into law. Partnership legislative victories encompass several major funding and policy wins.

Unlike 2022, we did have adverse legislation advance off of the floors but we and others were able to reduce some of the undesired language enacted into law.

Below highlights the vast array of waste legislative concerns during the 2023 legislative session to the Partnership. We want to thank Hennepin, Ramsey, and Washington County staff and contract lobbyists who worked closely with us, along with other organizations, to advocate the Partnership legislative platform. Our network of allies has grown as has the interests working at cross purposes to our counties.

Enacted.

(Note: Italicized bill numbers are original standalone bills, and language may have changed. Final enacted language is found in the first-listed bill number.)

- SCORE Grants – HF 1938 (*HF 1785/SF 1587*)
 - 3% of Solid Waste Management Tax receipts ongoing structural shift to SCORE grants. \$14.7M over four years (Hennepin alone should see nearly \$3M). This is the largest increase since 2014 when we added a flat \$3M annual increase to the base ongoing. This is \$3.4M/year and grows to \$3.7M/year and keeps growing in the tails. The

current SCORE funding is \$18.45M/year following the increase we secured two years ago. The new increase is almost a 20% bump.

- *Commissioner Reinhardt testified House Taxes 3-7 hearing, Commissioner Goettel and Mallory Anderson testified Senate Taxes 2-28 hearing*

- Emerald Ash Borer response – HF 2310
 - \$16.562M to St. Paul Cogen (HF 2831/SF 2973) - *Commissioner Reinhardt testified House Env 3-22 hearing, Commissioner Reinhardt testified Senate Energy and Env 3-22 hearing*
 - \$3M to Koda Energy (HF 2899/SF 2887) (Koda's \$3M is a carveout of the MPCA's one-time waste prevention and reduction grants detailed below under MPCA Resource Management and Assistance.)
 - (See also the \$10M in community tree planting grants under Capital Investment below)
 - Metropolitan Council metropolitan regional parks received \$1M for removal and replacement of ash trees
- PFAS ban – HF 2310
 - Prohibition of items containing intentionally added PFAS, with some exceptions, starting January 1, 2025. Manufacturers are required to notify MPCA of the presence of PFAS in their products. (HF 1000/SF 834)
 - \$4.42M/biennium for PFAS reduction grants
 - \$4.14M/biennium to programs addressing emerging issues, including Minnesota's PFAS Blueprint
- Metropolitan Landfill Contingency Action Trust (MLCAT) Repayment – HF 2310 (HF 410/SF 440)
 - \$27.397M to be transferred from the general fund to MLCAT by June 30, 2024; and, "beginning in FY 2024, a transfer of \$100,000 from the general fund to MLCAT each year until the fund is restored"
- Capital Investment – bonding/cash bills HF 670 and HF 669
 - \$26M for Hennepin County's Anaerobic Digester project
 - \$10M for community tree planting grants
- Updates to the MPCA Capital Assistance Program (CAP) – HF 2310
 - Raised the limit from \$2M/project, per county, to \$5M. The capital investment/bonding bills did not fund the CAP except for select earmarks.
- ReLeaf Program – HF2310

- \$15.996M/biennium to enhance community forest ecosystem health and sustainability
- Compostable Products and Packaging Standards – HF 2310 (*HF 1315/SF 1321*)
 - MPCA with the assistance of Commerce and Health Departments will enforce after January of 2026 new compostable (and biodegradable) labeling requirements for products that label themselves “compostable” or “biodegradable.”
- Digital Fair Repair Act – SF 2744 (*HF 1337/SF 1598*)
 - Although heavy machinery, ag equipment, video game consoles, and home yard and garden equipment was removed via amendment in the Senate, a strong digital fair repair or right to repair set of provisions passed as part of the Commerce Omnibus Bill. Manufactures are required to provide independent repair shops and owners with parts, equipment, manuals and needed tools to diagnose and repair their products, which could be personal or commercial electronics and other products.
- Pig’s Eye Landfill – HF 2310
 - \$280,000/biennium - continued funding for the Pig’s Eye Landfill Task Force
- Resource Management Study (AKA: waste study or near zero waste study) – HF 2310
 - Negotiated with MN EJ Table. Provides \$680K for waste system study and its needs to get to nearly zero (less than 10%) of waste going to landfilling or incineration by 2045. Report due from MPCA in two years.
- Solar Panel Recycling Study (HF 2310)
 - This replaces the MPCA’s required solar panel recycling legislation that ran into trouble a couple falls ago and requires an exhaustive report by January 15, 2025. A working group that will include local governments will be asked to advise on potential implantation of panel recycling.
- MPCA Resource Management and Assistance – HF 2310
 - Total base funding: \$82M from the general fund, and \$57.974M from the Environmental Fund
 - \$18.9M/biennium (after the Koda carveout mentioned above) for one-time waste prevention and reduction grants to be awarded via the Pollution Control Agency
 - Little if any of these grants are expected to be used for wood waste and instead for other projects, but the Partnership could request the Agency consider a meaningful portion of the funding use for wood waste management and planning.
 - \$1.537M/biennium to reducing and diverting food waste
 - \$5.6M/biennium to metropolitan landfill abatement fund

SUBJECT: *Memo - Capitol Hill Associates*

- \$800k/biennium for grants to develop and expand recycling markets for Minnesota businesses
- 100% Carbon Free – HF 7
 - All electricity generated for public sale is required to be 100% carbon free by 2040
 - The electricity generated by the HERC is no longer considered renewable under state law
- Cumulative Impacts – HF 2310
 - Cumulative Impacts/EJ definition/air permit restrictions on WTE facilities and others
- Statewide Diversion of Furniture and Mattress Waste Pilots – HF 2310
 - \$2.833M to EMERGE to work in collaboration with UMN and Second Chance Recycling to test methods to expand furniture and mattress recycling statewide

Not yet enacted. These issues will continue in 2024.

- Extended Producer Responsibility (EPR) for Packaging and Paper Products
 - Staff, PWE consultants and facilitators have been working on this for approaching two years. To date, extensive work has gone into bill development, stakeholder engagement, coalition building, and navigating a multitude of previous and remaining hurdles. We have a chief author in each chamber and are holding many additional stakeholder discussions. This initiative will be introduced in 2024.
- Beverage Container Recycling Refund (“Bottle Bill”) – HF 3200/SF 3260
 - The Can Manufacturing Institute, an industry group has introduced a bottle bill with expected action in 2024.
- E-Waste – two bills are in the mix: one from AMC and one from the environmental community.
- Other misc.: waste bills introduced toward the end of session for expected action next year include boat wrap product stewardship/recycling (HF 3320) and a ban on light bulbs containing mercury.

FRYBERGER

— LAW FIRM —

TO: Partnership on Waste and Energy
FROM: Sam Richie and Shannon Mitchell, Fryberger Law Firm
DATE: June 2, 2023
RE: 2023 Legislative Session Outcomes

The 2023 Legislative Session was unlike any in recent history, with a new two-year state budget of roughly \$72 billion. Session had a torrid pace from the start, with the DFL in complete control of all three levers of state government. They hit the ground running by pushing several long-held caucus priorities. Within the scope of the Partnership's energy-related interests, those included overhauling the state's clean energy generation goals, establishing a competitiveness fund for matching dollars for federal energy infrastructure grants, and focusing on the financial impact the Emerald Ash Borer infestation is having across the state. Additionally, the final Environment and Energy bill included policy provisions on cumulative impact analyses and funding for tree planting. The final transportation bill included the establishment of a Clean Transportation Standard Task Force.

100% Carbon-Free Energy Standard

- Key components of the policy:
 - The 100% clean energy by 2040 bill contains two standards that all electric utilities in the state must meet: a renewable energy standard, which has existed since 2007, and a new carbon-free energy standard. By 2040, all utilities must be 100% carbon-free.
 - Part of this overarching effort included establishing environmental justice areas based on census data that meet threshold racial, income, or English proficiency parameters, or are located within Indian country as defined by federal law.
- Impact of the policy change:
 - The new clean energy law requires utilities to consider impacts on these areas in future resource plans.
 - It also directs the Minnesota Public Utilities Commission (PUC) to consider the economic and environmental effects of its decisions on these areas.

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- Through this language, the HERC was explicitly called out in the legislation, identifying the facility as not qualifying as a renewable energy source. As a result of this change, Hennepin County will not be able to sell renewable energy credits moving forward.
- Discussions on this topic resulted in the creation of a study to look at waste management funding and operations at a statewide level in efforts to get close to zero waste.

This bill was moved and passed early in the legislative session to get a win on the board. The bill flew through the process throughout January and was signed into law by Governor Walz the first week of February. Although we could not get concessions on HERC qualifying as a renewable energy source, there were discussions with the Partnership and Hennepin County that highlighted the difficult position this policy change puts counties in as they fulfill their waste management responsibilities.

State Competitiveness Fund for Federal Energy Infrastructure Grants

- The provision: Another standalone energy-related provision that passed off both House and Senate floors established a \$115 million state competitiveness fund within the Department of Commerce.
- The impact: The money will provide the required state matching funds to help Minnesota compete for billions of dollars in Federal grants for energy infrastructure to strengthen the state's electric grid. It allows state, local and tribal governments, electric cooperatives, and utilities to access billions of dollars in grant funding for new energy infrastructure in the coming years.

Emerald Ash Borer

- Key provisions of the final Environment and Energy bill:
 - \$16.562 million for St. Paul Cogen
 - \$15.996 million for the ReLeaf tree planting program
 - \$1 million for replacing EAB-infested trees
- Additional provisions: Prior to this session's legislative changes, the Saint Paul Cogen and Xcel purchase power agreement (PPA) statute prevented Saint Paul Cogen from relying on a future PPA to provide any subsidy for generating electricity from ash trees. This ban was removed and language was included that now allows the Public Utilities Commission (PUC) to approve a PPA without an electrification project.

Analysis of strategy and outcomes

An early priority outlined by the DFL was to properly frame the scale and scope of the fallout from the Emerald Ash Borer (EAB) infestation. House and Senate Environment Finance Committees held a rare early Session joint hearing dedicated solely to the EAB issue. After the

hearing, it seemed all were aware of the scope of the problem and that state resources to respond have been woefully inadequate over the past decade. The testimony highlighted the robust state response to the Dutch Elm crisis in the 1970's and set the stage for our efforts to seek state financial support in the 2023 legislative session.

We worked closely with our friends at District Energy to try and secure state funding for the Saint Paul cogeneration facility to remain a viable option for the safe disposal of EAB wood waste moving forward. The bill was heard in both the House and Senate to meet the deadline, but barely in the Senate. The ultimate funding level of \$16.562 million comes as a disappointment considering where we started (\$35 million). Some challenges included the language being introduced relatively late in the process and not having a clear champion on the Senate side. This was particularly evident as offers were traded back-and-forth between House and Senate Conferees and the Pollution Control Agency (PCA) on behalf of the administration. Even with this level of funding secured, questions about the long-term stability of the Saint Paul Cogen facility remain in the short and long term. The language allows for the PCA to require Saint Paul Cogen to impose tip fees.

Other wood waste-related items we tracked and advocated for in the omnibus environment and energy bill included an EAB response grant program funded and established, including \$9 million in grants to local governments to remove, manage, and replace EAB-infested trees. Unfortunately, this was also dropped in the conference committee negotiations. Instead, there was \$1 million given to replace EAB-infested trees with more resilient and diverse tree populations.

Cumulative Impacts

Another focus of our work was on the cumulative impacts requirements that will now be in place for certain permit holders in the metro area, Rochester and Duluth.

- Key components of the policy change:
 - The language will require the Pollution Control Agency (PCA) to deny permits in these geographies if they would add to cumulative adverse environmental stressors in an environmental justice area.
 - In addition, before receiving a permit that could affect an environmental justice area, the bill requires an applicant to hold a public meeting with community members, offer an opportunity for robust public engagement, and accept oral and written comments, which would be forwarded to the PCA.
 - Permits will be denied if the permit would contribute to environmental stressors in an environmental justice area unless the applicant and an organization representing residents enter into a community benefit agreement.
 - Significant issues, such as defining when a cumulative impact analysis would be required, will be a part of the agency's rulemaking process.

There were ongoing negotiations between environmental justice advocates and their legislative champions, and with permit holders and the trades throughout the conference committee process. How broad a geographic footprint these new requirements would apply to was one discussion, with the original proposal being a statewide requirement. The final geographic footprint, as mentioned above, impacts certain permit holders in the metro area, Rochester and Duluth. The ongoing discussion also centered on creating language that would be more workable for permit holders that could potentially be subject to a cumulative impacts analysis.

- Impact of the policy change:
 - The final language that came out of the conference committee provided more discretion to the PCA on when a cumulative impacts analysis may be triggered and tied evidentiary requirements to the process.
 - It also established public meeting requirements for certain air permittees and air toxics emissions reporting and rulemaking.
 - Of note for some Partnership counties is a provision providing local community health boards with 40% of litigation settlements above \$250,000 secured by PCA, to be used by the Health Boards to implement community-driven projects that benefit affected residents.
 - There will be a three-year rulemaking process to establish these new requirements, so we have another issue we will want to keep close track of moving forward.

Clean Fuel Standard/Future Fuels Act/Clean Transportation Standard

- Context:
 - The saga continued in 2023 with our efforts to support a new clean fuel standard in Minnesota, an effort we are now calling a Clean Transportation Standard.
 - The Clean Transportation Standard would require the state to reduce carbon emissions from transportation fuel by 25% in 2030, by 75% in 2040, and 100% in 2050.
 - The bill made it further along in the process this year than previous years. It received a hearing during the deadline week in the Senate Finance Committee, but it did not go particularly well. The bill faced difficult questions from both sides as the coalition continued to struggle with language that could be fully supported by all sides of the large stakeholder group. This remains a challenge.
- Outcome:
 - Eventually, the effort was scaled back from attempting to establish the new standard into an effort to create a working group that will meet over the interim. Our friends at the Great Plains Institute led this effort.
 - During the transportation conference committee process, we worked with Great Plains Institute to get amendment language to include, “at least one local

government that manages organic waste” on the newly established working group.

- As a result, the working group language was included in the final omnibus transportation finance bill with our amended language.

While a great deal did pass this Session, the results have also set the table for the Partnership’s work moving forward. There will be plenty to track during the rulemaking and implementation process for the PCA’s new cumulative impacts analysis. We will need to continue to engage in strategic planning for the future of the St. Paul Cogen facility and to push lawmakers to appropriately fund EAB response measures. Finally, the ongoing effort to implement a statewide clean transportation standard will certainly continue and will likely be in the mix again in the upcoming policy Session.

Thanks to all the Partnership staff for their tireless efforts and lending their expertise at a moment’s notice.

Partnership on Waste and Energy 2022 Annual Report

Letter from the Chair

The Partnership on Waste and Energy (PWE) is a joint powers board comprised of Ramsey/ Washington Recycling & Energy Board and Hennepin County members. PWE, established in 2017, is the organization through which Hennepin, Ramsey and Washington counties collaborate on solid waste management issues.

The Partnership's collaboration supports and maximizes the counties' efforts to recover resources from trash, reducing the need for landfilling. In 2022, the Partnership focused on product stewardship, wood waste management and getting organic material such as food scraps out of the trash. Partnership members made great strides last year to expand regional organics capacity through anaerobic digestion. Our partnership allows us to advance our mutual goals by sharing information and resources to amplify our efforts.

By coordinating on our shared interests, PWE has become a key voice in advancing legislative solid waste policy that helps meet our waste reduction, reuse and recycling goals. We look forward to an exciting 2023.

- Debbie Goettel, Hennepin County Commissioner and 2023 Partnership Board Chair



Governance and Administration

The Partnership is governed by a board of three county commissioners, including the chair and vice chair of the Ramsey/Washington Recycling & Energy Board (Washington County Commissioner Fran Miron and Ramsey County Commissioner Victoria Reinhardt, respectively) and Hennepin County Commissioner Debbie Goettel. The chair of the Partnership Board rotates annually, and in 2022 the chair was Fran Miron. R&E serves as the administrative agent for the Partnership, providing financing, procurement, communication and planning services.



Legislative Work and Highlights

Through its legislative advocacy efforts, the Partnership seeks to end waste, promote renewable energy and enhance the health and resiliency of its communities while advancing equity and responding to the challenges of a changing climate. Each year, the Partnership Board adopts a legislative platform. In the 2022 legislative session, lobbying activities advanced Partnership interests in the following areas:

Advancing efforts to redirect Solid Waste Management Tax receipts from the General Fund into SCORE grants to counties

Securing funding to address the ongoing issue of emerald ash borer

Creating opportunities to address PFAS, a forever chemical

Laying groundwork to adopt product stewardship policies for packaging and mattresses and to restore funds borrowed from the Metropolitan Landfill Contingency Action Trust

Partnership Board members, staff and lobbyists engaged with legislators around these topics and continued ongoing collaboration with partners toward common goals. In addition, the Partnership provided written and oral testimony and created policy position statements to advance its interests.

Product Stewardship

“Product stewardship” is a policy approach that holds producers responsible for the management of their products and packaging for the materials’ full life cycle to minimize the environmental and social impacts.

The Partnership partners with the Minnesota Solid Waste Administrators Association (SWAA) Product Stewardship Committee to advance a shared vision of product stewardship across the state. This includes:

- Supporting product stewardship efforts that reduce lifecycle impacts of products and packaging

- Reducing financial burdens associated with waste disposal on local government and taxpayers

- Establishing measurable and enforceable goals



In 2022, the Partnership continued its work with the Product Stewardship Institute to develop a bill in Minnesota for extended producer responsibility for packaging. This work included a committee process to develop elements of a bill that is customized to Minnesota. The committee was a broad group of stakeholders that met multiple times in spring and fall 2022. Additionally, staff completed one-on-one calls to stakeholders to get additional feedback on bill elements.

The Partnership also collaborates to advance policies related to other products, such as carpet, mattresses, batteries and electronics.

Wood Waste

The Partnership is concerned about the increasing amount of wood waste from trees infected with emerald ash borer (EAB). Local governments statewide face unfunded mandates to respond to EAB and the growing volume of wood waste. The seven-county metro area is expected to enter the peak phase of ash tree loss during this decade, requiring the management and disposal of more than 1.67 million tons of wood waste. To better understand and address this issue, the Partnership Board included funding in the 2022 budget for wood waste market development.

During 2022, the Partnership piloted a one-time grant for a local business that reclaims discarded ash trees to create high-quality wood products. The funding increased their processing of ash tree waste with critical equipment purchases, staff time and public messaging around utilization of urban ash wood.

Additionally, the Partnership used a professional consultant, Cambium Carbon, to assess current wood waste flows within the wood waste disposal industries. Cambium Carbon completed an in-depth assessment, including more than 30 stakeholder interviews, to detail current volumes of wood waste and quantify the potential impact of EAB-generated wood waste on the current management system. Cambium Carbon produced a report detailing their research and findings, which also provides recommendations for future wood waste management. The Twin Cities Metro Area Emerald Ash Borer Wood Waste Study can be found on the [Partnership website](#).



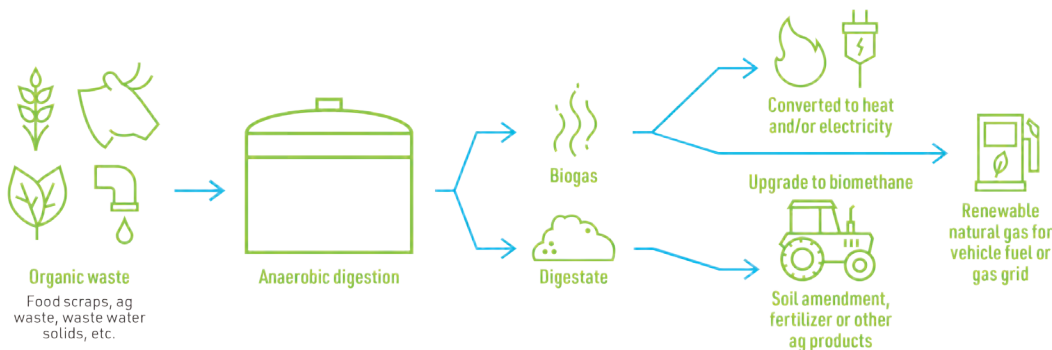
Anaerobic Digestion

Food waste digestion is a strategy identified by both Hennepin County and Ramsey/Washington R&E as a key progression to capturing more value from waste and meeting climate goals. Food and other organics decompose and produce methane, a potent greenhouse gas. Anaerobic digestion (AD) is a top climate solution because the methane is captured using a controlled process, reducing greenhouse gas emissions, creating renewable natural gas that displaces fossil fuel use and making valuable soil amendment products from the digestate.

In 2022, R&E and Hennepin County made major strides to develop organics recycling infrastructure in the Twin Cities Metro. Hennepin County evaluated proposals, selected a preferred proposer and began discussions for design refinement and value engineering for an AD facility to process source-separated organics. R&E conducted direct negotiations with two proposers for a digester to process source-separated food scraps and organic-rich material from the R&E Center.

The shared interest in recovering the resource value of organics drove the Partnership's efforts on AD in 2022. This manifested in support for legislative initiatives, such as the Future Fuels Act/Clean Transportation Standard. The Partnership also participated in the Minnesota Public Utilities Commission's rule development process to implement the 2021 Natural Gas Innovation Act (of which the Partnership supported the passage).

The Partnership continues to support development of AD through collaboration with organizations such as the Great Plains Institute, Coalition for Renewable Natural Gas, American Biogas Council, the Minnesota Future Fuels Coalition and the Bioeconomy Coalition of Minnesota.



Financials

Each year, the Partnership Board approves a budget for the following fiscal year, which aligns with the calendar year. In 2022, the Partnership budget expenditures were as follows:

Personnel	R&E staffing support to PWE for planning, accounting, and contract management.	\$26,700
Communications	Designing of professional materials such as the legislative platform and position statements.	\$7,605
Lobbying Services	Contracts with lobbying firms Capitol Hill Associates and Fryberger Law Firm.	\$74,975
Legislative Tracking	Contract with Enview to track bill progress in the MN legislature pertinent to the Partnership.	\$6,000
Wood Waste Management	Market development for wood waste and a contract for a wood waste evaluation study.	\$47,220
Anaerobic Digestion	Contract with EcoEngineers to work on opportunities to support anaerobic digestion.	\$8,838
Product Stewardship	Contract with the Product Stewardship Institute to explore product stewardship opportunities.	\$58,900
Insurance	Organizational insurance.	\$1,407
Total		\$231,645