

September 17, 2023

Re: MPCA's Metro Solid Waste Management Policy Plan (2022-2042)

Dear Commissioner Kessler & Assistant Commissioner Koudelka,

Thank you for the opportunity to comment on the MPCA Metro Solid Waste Plan. Here are some overall observations.

The Plan calls out the importance of waste reduction, but the reduction goal cited is only 5%, which is very small for a twenty-year plan. This can and should be more aggressive. The Plan should start with a 5% reduction goal for total MSW by 2025 and increase that 3% per year until 2042. Another goal stated in the Plan is the need to reduce greenhouse gas emissions. Everything that is produced contributes to total emissions. The most effective way to address this is to produce less and there are many ways to accomplish this.

The Plan should clarify when it is referring to waste reduction as the amount going to landfill or incinerators versus generating less waste altogether. The focus of the Plan should be to reduce the overall amount of waste generated. More strategies are required to accomplish this.

The Plan should educate all parties on the need for and benefits of reduced consumption. Overconsumption plays a big role in the amount of waste generated. Minnesotans create around 6 pounds of waste a day, which is approximately one ton per person per year. The Plan should call on counties, cities, businesses and residents to work creatively and diligently to reduce the Total MSW created. Many residents and businesses are unaware of the need to reduce. They may assume that if they have waste removal services, they are doing as much as they need to do. Increased recycling and composting will not solve the waste crisis. More education on reduction is needed for all parties.

The Plan should provide details on how the figures were calculated for the reduction goal of 5% in Table 2 and for the amounts in Table 14. Reduction goals should refer to Total MSW which is the total amount of waste generated. Table 14 shows an increase of 20% in Total MSW between 2020 and 2042. The Plan should also include more details on how the Recycling rate is expected to increase from 31% in 2020 to 49% in 2030.

The Plan identifies a Challenge regarding the incineration of PFAS-treated waste. The Plan states, "It is uncertain that waste to energy (WTE) facilities maintain the high temperatures required to destroy PFAS." Although it is difficult to measure PFAS releases from incineration, a growing number of studies are examining this including a [2021 study](#) that found PFAS in eggs, pine needles and mosses near incineration plants. Another [2023 study](#) concluded, "Our results demonstrate that some PFASs are not fully degraded by the high temperatures during WtE conversion and can be emitted from the plant via ash, gypsum, treated process water, and flue gas." These studies indicate that PFAS, along with other toxins, are being released into the

atmosphere through incineration. [Another study](#) concluded that the PFAS found in rainfall represents a global crisis. They also state that a planetary boundary specifically for PFAS should be defined and that this boundary has already been exceeded. Once PFAS is in the atmosphere, it is extremely difficult, if not impossible, to remove. PFAS-treated products contaminate the environment whether they are in a landfill or incinerated. We may in the future be able to remove PFAS from landfill leachate but when PFAS is incinerated and goes into the air, there is nothing that can be done. That alone is reason enough to stop incinerating trash.

Waste incineration creates and releases harmful chemicals and pollutants into air and once they are released, they are impossible to clean-up. Frontline communities are paying the price with their health. Forty years ago, incineration was thought to be an environmentally friendly way to deal with waste but increasingly, [studies](#) are finding that is not the case, especially for older incinerators like the HERC. The Plan should aggressively focus on strategies to reduce the amount of waste that is generated and stop using incineration as a way to manage waste.

The Plan includes many references to the goal of reducing the toxicity of waste. This is important but it should go beyond focusing on HHW and purchasing decisions. It should include some strategies that require reducing the toxicity of products and packaging put into the market. Supporting an Extended Producer Responsibility legislation that bans toxic chemicals from packaging is a good start.

Plastic is made with chemical additives, many of which are toxic. The Plan should have strategies to transition away from single use plastic and should educate consumers on the risks of using plastic, including micro/nanoplastic particles and toxic chemicals that leach from plastic. The Plan should also have strategies that provide grants and/or incentives to develop refill systems. This is also an opportunity for job creation.

We also have the following Strategy recommendations:

- Strategy 14. Launch bi-annual sustainable consumption challenges for residents.
  - The examples of reducing food waste and buying more durable goods are both good but this policy should also emphasize to consumers that avoiding purchases is the best way to reduce waste.
  - This strategy should be expanded to also include businesses since overconsumption is not limited to individual consumers.
  - Share information on Earth Overshoot Day, emphasizing that for the US, we start consuming more resources than the Earth can replenish on March 13. Challenge citizens to look at over consumption to reduce their impact on the Earth and the waste they create.
  - Share information about borrow, lend, and share options that are growing in the Metro area.
- Strategy 15. Implement a formal county sustainable purchasing policy using MPCA guidance.

- In addition to the good examples included in the Plan, the Requirement should include that counties quickly (within one year) phase out single-use plastic purchases, including bottled water.
  - Require all county and city events to transition quickly to reusable service ware.
  - Many events are 'zero waste' and the counties and cities should set a good example by doing the same.
  - Require counties to set up a reuse program similar to the [University of Minnesota ReUse Program](#).
- Strategy 17. Work with health inspectors to educate restaurants and other establishments that have excess prepared food to donate.
    - Add grocery stores and catering businesses to this policy.
  - Strategy 18. Offer grants or rebates for organizations to transition to reusable food and beverage service ware.
    - This is a good policy, but it should require non-plastic reusable products. Microplastics and toxic chemicals in plastic are a growing concern for our health and [studies](#) show that it is even more risky for plastic items as the number of times they are reused increases. Food contact items made from recycled plastic contain higher levels of toxic chemicals than virgin plastic.
  - Strategy 20. Implement a county policy encouraging all county and city-led events and food providers use reusable food and beverage service ware.
    - Change from Optional to Required.
  - Strategy 21. Adopt an ordinance with a mandatory consumer charge for take-out single-use cups, containers, and utensils.
    - Change from Optional to Required.
  - Strategy 26. Develop standardized guidance and methodology for tracking waste reduction and reuse activities and their resulting benefits.
    - Include tracking of reduction so that counties get credit for their efforts and can share best practices with other agencies and businesses.
  - Strategy 53. Counties must continue to support the implementation of Minn. Stat. § 473.848 Restriction on Disposal.
    - Incinerators need a shutdown strategy. PFAS and other air contaminants are not being measured and cannot be captured after being released. Prevention is key. Support legislation to change the Restriction on Disposal that requires operating incinerators at full capacity.
  - Strategy 56. Encourage retailers to increase consumer awareness of responsible end-of-life handling for products containing lithium-ion batteries

- Update to include retailers that sell greeting cards or other products containing lithium batteries.
- Add – Call for Reduction (Optional)
  - Ask counties, cities, businesses and residents to reduce. Provide education on the benefits of reducing and challenge them to find new ways to reduce. Request ideas from all parties and share the best. This can reduce waste and save money.
- Add – Support product stewardship for packaging legislation (State-led)
  - Producers currently have no incentive to reduce packaging they put into the market or to make it less toxic. Local governments have to accept it and pay for managing it.
  - Effective EPR bills have the potential to require companies to pay for packaging waste, not taxpayers. They can incentivize producers to reduce packaging, make it more recyclable and make it less toxic.
  - Minnesota has a strong recycling and composting infrastructure system. The bill should expand services while protecting what we currently have. The bill should also incentivize the development of reuse and refill systems, which will help to reduce waste and create jobs.
- Add – Toxic chemicals (State-led)
  - Support legislation to identify and prohibit packaging chemicals of high concern as identified in [2021 model legislation](#) by the Toxics in Packaging Clearinghouse.
- Add – Require grocery stores to donate unsold food to charity. (Required)
  - Grocery stores should be required to donate unsold food to charity rather than destroying it. One example of a country that requires this is France.
- Add – Ban on non-reusable dinnerware at eat-in restaurants. (Required)
  - Countries such as France have adopted policies requiring restaurants with 20 or more seats to use reusable, washable dinnerware.
- Add – Ban on plastic bags. (Required)
  - If/when the law changes in Minnesota to allow bans on plastic bags, require counties to enact a ban on the distribution of free plastic bags. Many cities, counties, states and countries have successfully enacted this requirement.
- Add – Update the Recyclers/Composters Ambassador Program (Required)
  - Change this to a Reduction, Recycling, and Composting Ambassador Program (RRCA). This very popular program should be modified to focus on reduction over recycling.
  - If reduction and reuse is not possible, recycling should be encouraged for all materials except plastic. For plastic, finding alternatives should be stressed. The

environmental impact and health risks from the production, use and disposal of plastic should be covered, including micro/nanoplastics and the toxic chemicals that leach out of plastic.

- Add – Educate businesses on composting and recycling (Required)
  - Actively reach out to businesses that handle food and share information and advice on composting and recycling. Provide grants to assist with conversion activities. Ramsey County has a program called BizRecycling that provides this service.
- Add – Support a bottle deposit system (State-led)
  - Bottle deposit systems are effective in taking valuable resources out of the waste stream. The Plan should include support for legislation to start a comprehensive bottle deposit system for Minnesota that includes a minimum refillable container requirement of 25% by 2030.
- Add – Support an expanded electronic waste collection system (State-led)
  - The Plan should support legislation to expand the electronic waste collection system to cover all electronic products to ensure that valuable resources are captured and that products don't contaminate the environment when they are incinerated or sent to a landfill.
- Add – Durability Rating (State-led)
  - Support legislation to require manufacturers of durable goods to include a durability rating.

Coalition for Plastic Reduction

Lori Olinger

Rebecca Wardell Gaertner

Jennifer Congdon, Beyond Plastics

Mary Kosuth

Steve Olinger