



August 7, 2026

Alison Cameron
Minnesota Pollution Control Agency
520 Lafayette Road North
Saint Paul, MN 55155

RE: Comments of the Minnesota Solid Waste Administrators Association on the Draft Minnesota Resource Management Report

Dear Ms. Cameron:

The Minnesota Solid Waste Administrators Association (SWAA) appreciates the opportunity to comment on the Minnesota Pollution Control Agency's (MPCA) draft Resource Management Report. SWAA represents county and regional solid waste professionals who plan, administer, finance, contract for, operate, and oversee Minnesota's integrated solid waste systems.

SWAA supports continued efforts to advance waste prevention, reuse, recycling, organics recovery, producer responsibility, and market development. Counties have worked toward these goals for decades and will remain essential partners in any effort to move materials higher on Minnesota's waste management hierarchy.

The draft report is not sufficiently complete, accurate, or realistic to serve as the pathway requested by the Legislature. The report is an analytical exercise that models what might be possible under ideal conditions. Correcting the report's shortcomings would improve the analysis, but it would not make the report an implementation plan (nor should it) or a sufficient basis for new mandates, permitting presumptions, funding priorities, or county planning requirements.

Clearly state the report's purpose and limitations

MPCA has explained that the Resource Management Report is informational and does not create new mandates. SWAA appreciates that clarification, but this fact needs to be stated prominently in the final report, including in the executive summary and recommendations. The report repeatedly describes the modeled outcome as a systems-planning benchmark and recommends enforceable targets, statutory changes, and mandates. Without clear explanation of its limitations, the report may later be treated as an adopted plan or settled policy despite the many qualifications in the technical analysis.

The final report should describe its modeled outcome as a best-case estimate, not a prediction or an implementation pathway. The model does not establish that Minnesota can achieve the assumed participation, capture rates, infrastructure, markets, funding, or other conditions statewide. Any future legislation, rulemaking, county-plan requirements, permitting direction, funding decisions, or enforcement standards should be developed through a separate process supported by updated analysis and meaningful county participation.

The draft is not much of a pathway, and it is not an implementation plan. It presents a limited inventory of Minnesota's current system, a best-case modeling exercise, and a broad menu of possible actions. It does not show how the actions would fit together under realistic conditions. A useful pathway should explain what would have to

occur, in what order, with what authority and funding, and what would happen if key assumptions do not hold. Those analytical questions are missing from the draft report.

Correct how the report calculates the disposal reduction target

The report's central model does not meet the measurement established by the Legislature. The session law requires a report that calculates a reduction of more than 90 percent from the 2021 amount sent to landfills or WTE facilities. The report instead labels a scenario as 90 percent diversion based on how the total waste stream is distributed among modeled management methods.

Table 19 reports 3,368,524 tons remaining in landfill or waste-to-energy (WTE) in 2021 and 607,043 tons remaining under the modeled scenario. That is an 81.98 percent reduction from the report's 2021 disposal baseline. A 90 percent reduction would leave no more than approximately 336,852 tons, and the Legislature called for a reduction of more than 90 percent.

This is not a minor wording issue. Correcting the calculation would affect the material flows, facility capacity needs, costs, employment estimates, transportation needs, health and environmental comparisons, and policy recommendations throughout the report. MPCA should correct how it calculates the 90% target and rerun the model before finalizing the report. The corrected model should separately identify prevention, reuse, recycling, other recovery, WTE, and land disposal so readers can understand how the results relate to Minnesota law and existing reporting systems.

The model also holds total waste generation in 2045 at exactly the 2021 level of 5,862,915 tons. The report does not explain how population growth, economic activity, changes in products and packaging, or per-capita generation could affect the 2045 waste stream. Those factors should be analyzed or clearly identified as modeling limitations.

Preserve Minnesota's waste management hierarchy

Minnesota law ranks waste reduction and reuse first as preferred management methods, followed by recycling, source-separated composting, resource recovery through mixed municipal solid waste composting or WTE, and then land disposal. The Legislature combined landfill disposal and WTE only for purposes of measuring the reduction examined in this report. It did not amend Minn. Stat. section 115A.02 or place WTE and landfilling on the same level in the hierarchy.

Figure 19 correctly shows WTE as a separate management method above land disposal. Other parts of the draft report repeatedly combine WTE and landfilling as co-equal last-resort disposal options. That framing blurs the legal and operational distinction between resource recovery and land disposal and could be interpreted as a new hierarchy.

SWAA supports reducing waste through prevention, reuse, recycling, and organics recovery across the entire system. As those programs expand, Minnesota should continue to manage the remaining waste according to the statutory hierarchy, which places WTE above landfilling as the preferred management method. Existing WTE and other processing capacity should not be reduced before higher-priority alternatives are operating and able to manage the material reliably.

The report should also evaluate the impacts of potential reduction or closure of processing capacity, including WTE facilities, based on modeled outcomes if the underlying diversion programs, markets, or new facilities do not develop as modeled. The analysis should include impacts of additional landfilling and earlier closure of existing landfills, longer transportation distances, replacement energy sources, changes in ash and residual management,

contract obligations, stranded public and private investments, and effects on communities that host regional facilities.

Reconcile the report with existing state and county policy

The draft Resource Management Report should not exist apart from Minnesota's current policy framework. The Metropolitan Solid Waste Management Policy Plan establishes requirements that metropolitan county plans must follow. Those requirements include working toward the 75 percent recycling goal in statute, compliance with Restriction on Disposal requirements, use of available resource-recovery capacity, and mandatory preprocessing by 2030. Greater Minnesota counties also operate under state approved plans, statutes, local ordinances, contracts, and regional arrangements that reflect local conditions.

The draft report discusses some of these policies but does not explain how its recommendations align with them. For example, it treats mixed waste processing as a costly last resort while the Metropolitan Policy Plan requires metropolitan counties to implement preprocessing. Counties should not be directed to invest in management methods through one MPCA policy document while a legislative report devalues that same investment.

The final report should explain whether each major recommendation supports, changes, or conflicts with the statutory hierarchy, the Metropolitan Policy Plan, the 75 percent metropolitan recycling goal, the Restriction on Disposal, preprocessing requirements, approved county plans, and other significant waste-related statutes. Until those policies are formally changed, the report should not create conflicting expectations.

Use realistic assumptions and reflect regional systems

The draft report acknowledges that the modeled outcome assumes near-optimal participation and capture, successful development of new markets, sustained funding, regulatory changes, and emerging or unproven technologies. It also states that the outcome may not be realistic without major breakthroughs. Those qualifications confirm that the model shows what might be possible under best-case conditions, not what Minnesota can reasonably expect to achieve.

It would help to have a range of scenarios, such as what is expected under current laws and funding, what could be achieved with identified and funded actions, a high-performance case, and a case that meets the 90% reduction in disposal target. The report should show how results change if participation is lower, facilities are delayed, markets do not accept recovered material, EPR programs perform differently than expected, or mixed waste processing does not achieve the modeled capture rates.

Behavior and regional differences are acknowledged but not modeled.

The draft report assumes that access, participation, capture rates, contamination reduction, staffing, transportation distances, affordability, and market availability will support the modeled outcomes. In practice, access does not guarantee participation, collection does not guarantee usable material, and recovered material is not diverted unless a reliable market will accept it.

A simple statewide approach cannot reflect Minnesota's different operating systems. Rural route density, long travel distances, smaller volumes, workforce availability, seasonal populations, market distance, facility economics, and limited county staffing can substantially change what is feasible. Even a Metropolitan area and Greater Minnesota split may be too broad. Where possible, the report should evaluate existing wastesheds, regional partnerships, facility service areas, and hauling patterns.

The report should also distinguish between outcomes counties can directly influence and those that depend on cities, haulers, generators, producers, private facilities, state permitting, legislation, and end markets. Counties cannot be assigned responsibility for outcomes they lack the authority or resources to control.

Correct the data and make the model reviewable

County and industry reviewers have identified facility classifications, facility counts, material-flow assumptions, and internal inconsistencies that require correction. Examples include source-separated recycling facilities grouped with mixed waste processing, an omitted processing facility, conflicting organics information, and a cost table that prices two mixed waste processing facilities while the narrative illustrates three.

Current reporting also imposes important limits on the integrity of data used in the draft report. Hauler routes may cross several counties and combine residential, multifamily, commercial, industrial, and institutional material. Facilities may therefore have to estimate where material originated. Businesses may haul recyclable material directly to end markets without the tons appearing in state or county reports. Reuse, home composting, yard waste, and informal exchanges are also difficult to measure. The report should identify these limitations rather than treating all regional and generator estimates as equally precise.

The report should clearly distinguish building materials found in the MSW stream from the broader construction and demolition debris system. Programs or facilities that manage C&D debris should not be used to satisfy an MSW reduction target unless the same material is included consistently in the 2021 baseline and the modeled endpoint.

The final technical model should be reproducible. MPCA should publish the workbooks, formulas, source data, assumptions, order of calculations, regional allocation methods, end-market assumptions, and a change log showing corrections made after public review.

Packaging EPR assumptions need clarification

The draft report states that packaging EPR affects 36 percent of the MSW stream. That statement may cause readers to overstate the amount of waste that Minnesota's Packaging Waste and Cost Reduction Act will directly address. The final report should distinguish among:

- the percentage of the MSW stream composed of packaging and paper;
- covered materials subject to producer obligations under the law; and
- the generators and locations eligible to receive collection and other covered services.

Minn. Stat. section 115A.1441 defines covered entities to include residences, schools and other education and child-care locations, qualifying nonprofit corporations, and public entities. It does not extend the reach of covered materials or covered services to the entire commercial and industrial sector. The report should also acknowledge that implementation is still underway and that future effects on packaging design, reuse system development, discarded material composition, markets, collection, and residual waste cannot yet be known with precision. The report's assumptions should not substitute for the packaging EPR needs assessment or planning process.

Complete the cost, funding, and economic analysis

Table 27 estimates \$980.2 million in capital costs and \$315.4 million in annualized capital and operating costs for selected additional processing facilities. Those figures help suggest a sense of the scale of infrastructure change, but they are not the cost of implementing the modeled system. The draft report describes the figures as minimum planning benchmarks.

The estimates should fully account for:

- collection and program costs, including carts, trucks, routes, fuel, transfer, special collections, education, technical assistance, enforcement, administration, data systems, and contamination management;
- development costs, including land, siting, environmental review, permitting, zoning, utility connections, roads, financing, and regulatory compliance;
- transition costs, including terminating existing contracts, stranded investments, decommissioning, replacement energy sources, workforce effects, ash and residual management, and contingency disposal capacity; or
- the effect on county budgets, private operators, tipping fees, collection rates, households, businesses, and lower-income residents.
- The effect of 100% of the Solid Waste Management Tax collected to be dedicated to solid waste generation abatement and management.

The draft report does not identify how costs would be divided among producers, counties, cities, private operators, generators, households, and businesses, nor describe implications for state appropriations, Solid Waste Management Tax revenue, or state SCORE and capital-assistance programs. It also gives limited attention to ways state policy could support or encourage private investment rather than assuming that local government will build, operate and pay for much of the new system.

The economic analysis presents jobs and gross economic output associated with additional recovery activity, but it does not calculate net economic effects. A more complete analysis should account for displaced WTE and landfilling activity, impacts on existing jobs, opportunity costs, taxes, fees and other costs to households and businesses, and alternative uses of nearly \$1 billion in capital and more than \$300 million in operating costs each year.

Rework the health and environmental justice comparison

The draft report's literature review and identification of potential contaminants can inform further analysis. However, its health and environmental justice comparison is too limited to support a preferred waste-management approach. It counts facilities according to the surrounding community's Social Vulnerability Index ranking but does not fully evaluate actual exposure, emissions, facility size, pollution controls, transportation, or site conditions.

A facility count is not a measure of exposure. A transfer station, materials recovery facility, compost site, WTE facility, ash landfill, and MSW landfill cannot be treated as equivalent units of risk. The Social Vulnerability Index identifies communities that may be more vulnerable to environmental hazards; it does not establish that a particular facility caused exposure or a health effect, or what impact removal of any given facility would have on health in the community where it is located.

The comparison should use Minnesota-specific information where available and account for throughput, emissions, liners, leachate collection, operating history, compliance, truck traffic, distance to people, background pollution, and facility-specific controls. Active lined landfills should be distinguished from unlined or closed legacy sites. Potential risks should be evaluated consistently across recycling, organics, mixed waste processing, WTE, and landfills based on the unique impacts of each.

The analysis should also consider how a change in the system may shift burdens. Reducing WTE or closing regional facilities may increase hauling, landfill tonnage, road impacts, emissions, and burdens on other host communities. A full comparison should assess implications related to transportation, climate, energy source replacement, air, water, residuals, product displacement, and facility controls before concluding that one particular configuration is safer or more equitable.

Improve public engagement and allow review of major changes

The draft report documents substantial outreach, and SWAA appreciates the time contributed by those who participated. However, the engagement record should not be treated as representative of statewide public opinion. The survey received 488 responses, including 349 residents. Fifty-three percent of all responses came from the metropolitan area, and 123 came from one county. The report also acknowledges that resident respondents were generally highly engaged in waste issues and that this may have skewed the results. No responses were received to the offered Spanish- or Hmong-language survey options.

For a report of this size and potential influence, a staged process would have allowed counties, facilities, haulers, businesses, residents, and other affected parties to review the baseline, assumptions, model, and preliminary findings before they were assembled into a final draft. Some county participants also did not understand that relatively brief interviews would later be cited as formal input to the report.

SWAA recognizes that MPCA may not reopen the full comment process. However, if MPCA materially changes the model, health analysis, cost analysis, or recommendations, affected parties should receive an opportunity to review and respond to those changes before the report is finalized.

Areas of support

SWAA's concerns should not obscure areas where the draft report provides useful direction. SWAA supports continued work on prevention and reuse, repair and lending programs, recycling and organics recovery, producer responsibility, market development, better data collection and quality, consistent statewide education with local flexibility, permitting improvements, technical assistance, and regional partnerships.

Many Minnesota counties and regional authorities already operate successful programs that can inform this work. The final report should place greater emphasis on Minnesota examples and explain the conditions that make them successful. Programs from other states or countries can also be useful, but they should not be presented without explaining differences in law, funding, markets, population, geography, collection systems, and public expectations compared to Minnesota.

SWAA supports completing a more thorough economic and implementation analysis of higher diversion. That analysis should recognize that access to facilities alone will not achieve higher diversion. It should account for the costs and resources needed to sustain public participation, proper sorting, affordable service, enforcement where appropriate, reliable markets, producer action, and long-term funding. It should also identify who will bear those costs and ensure that new capital, operating, education, enforcement, and reporting costs are not shifted to counties and ratepayers without the authority and resources needed to carry them out.

Requested revisions

Before the report is finalized or used to inform any next-step policy decisions, SWAA asks MPCA to make the following revisions:

1. **Correct the reduction calculation and rerun the model.** Apply the more-than-90-percent reduction to the 2021 landfill-plus-WTE baseline and update all downstream estimates.
2. **State the report's purpose and limits.** Describe the modeled outcome as a best-case analytical estimate, not a prediction, implementation plan, or sufficient basis for mandates or other policy decisions.
3. **Preserve Minnesota's waste hierarchy.** Keep WTE resource recovery distinct from land disposal and follow the hierarchy when managing remaining waste.

4. **Reconcile the report with existing policy.** Explain how the recommendations align with the Metropolitan Policy Plan, the 75 percent metro recycling goal, the Restriction on Disposal, preprocessing requirements, and approved county plans.
5. **Use realistic and regional scenarios.** Include expected, funded, high-performance, and statutory-threshold cases, along with sensitivity and shortfall analysis that reflects regional systems and wastesheds.
6. **Correct and release the technical model.** Resolve facility and material-flow errors and publish the workbook, formulas, source data, assumptions, regional methods, and a change log.
7. **Complete the cost and funding analysis.** Include collection, programs, siting, permitting, transportation, education, enforcement, transition, ratepayer effects, existing investments, private-sector roles, and who would pay.
8. **Identify the conditions needed for implementation.** Explain roles, authority, funding, timing, dependencies, and contingencies for each major strategy without presenting the report itself as an implementation plan.
9. **Rework the health and environmental justice comparison.** Do not infer a system preference from facility counts. Use exposure-sensitive measures and evaluate how burdens may shift among host communities.
10. **Provide review of material changes.** If MPCA substantially changes the model, health analysis, costs, or recommendations, provide a brief opportunity for affected parties to respond before finalization.

Conclusion

Minnesota should continue working to prevent waste and recover more materials. The final report should distinguish an ambitious analytical exercise from an implementable pathway and accurately describe the changes required.

MPCA should engage counties and system operators and recognize existing systems, investments, contracts, and regional differences before any use of the report for policy, permitting, funding or planning purposes. Thank you for considering these comments.

Sincerely,



Gabrielle Batzko-Conley, President
Minnesota Solid Waste Administrators Association