PARTNERSHIP ON WASTE & ENERGY
Hennepin | Ramsey | Washington

August 10, 2026

Minnesota Pollution Control Agency
ATTN: Alison Cameron
520 Lafayette Road N.
St. Paul, MN 55155

RE: Partnership on Waste and Energy Comments to Minnesota Pollution Control Agency on the *Minnesota Resource Management Report* (Draft, May 2026)

Dear Ms. Cameron,

Thank you for the opportunity to comment on the draft Minnesota Resource Management Report. 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. The Partnership appreciates the significant effort that went into developing this report and shares the report's overarching goal of moving Minnesota toward a more circular economy.

The Partnership and its members remain firmly committed to waste prevention, reuse, recycling, organics recovery, and reducing reliance on disposal. Through our county Solid Waste Management Plans and supplemental plans, such as Hennepin County's Plan to Reinvent the Solid Waste System, the Partnership's members have committed to bold waste reduction and diversion goals and substantial investments intended to accelerate progress toward zero waste.

The report's recommendations are generally consistent with the Partnership members' goals, and we support the report's vision for reducing reliance on disposal and respect the legislative charge for creating this report. However, many recommendations are less ambitious than efforts already underway in Partnership and other metro counties, and we have concerns regarding several aspects of the report. The following list presents key concerns, with further discussion on these and other points subsequently presented in this letter.

- **The pathway toward a 90% reduction in materials managed by incineration and landfilling must be practical and candid, not just hypothetical.** The report has many gaps, questionable assumptions and misdirections that undermine the validity of some of the modeling and analysis. The review of feasibility called for in the enacting legislation is scant, creating the risk of unrealistic and inflated expectations of the ease of reaching the 90% target. Cautions about misinterpreting feasibility need to be more strongly emphasized, particularly the challenges of overcoming known and persistent limitations with participation in reduction and diversion opportunities. Access to programs and services alone will not achieve significantly higher diversion rates.

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- **The investments required to make progress toward the 90% target must be more fully accounted for.** The investments section of the report identifies some potential infrastructure needs and facility costs, but it provides comparatively little discussion of program costs and an incomplete picture of infrastructure that significantly underestimates costs. This creates the risk of severe sticker shock down the road about the real cost of achieving the 90% target, with potentially significant burdens on local governments and taxpayers.
- **The criticality of state-level leadership must be emphasized.** While the Partnership sees value in many of the recommendations in the report, and local governments are already heavily invested in strategies to reduce reliance on disposal, there is insufficient emphasis on state-level leadership, policy changes and funding necessary to move in the direction the report attempts to model. Most significant drivers of waste generation and diversion are beyond the control or influence of local governments and require statewide or national solutions.
- **A more complete analysis of waste management risks is needed.** The human health and ecological risk analyses are not complete assessments and should not be used in isolation to guide major infrastructure or policy decisions. As noted in the discussion below, important considerations are not fully captured within these frameworks. Portraying land disposal as at the same level of preference as incineration with energy recovery directly conflicts with waste policy statutes, most significantly the statutory waste management hierarchy (115A.03, Subd. 2) that is based on well-established risk analyses in preferring resource recovery over landfilling.
- **Mixed Waste Processing is a necessary element to accelerate progress, not an afterthought.** This tool should not be viewed as something to be deployed after source separation has been perfected, an unachievable standard. Rather, it can serve as a complementary strategy that captures materials that would otherwise be landfilled and help accelerate progress toward diversion goals.
- **The current system and policies must be adequately described and aligned.** The report does not adequately describe the state's established waste management hierarchy, align with statutory objectives to abate the need for land disposal or adequately convey current and future impacts of significant existing statutory policy.
- **Language and organization matter to provide greater clarity.** Clarifying terms, concepts, approach and interpretations would strengthen the value of the report to those in the legislature, the general public and the waste prevention and management professions. Examples are noted in the discussion below.

Pathway Forward – must be practical and candid, not just hypothetical

The report presents several pathways to achieve major changes in disposal and diversion rates, but much of the discussion relies on speculative scenarios and conjectural assumptions. Optimum conditions are assumed in the modeling without quantified qualifications or variances from optimum conditions reflecting realistic adoption of practices or development of infrastructure and service expansion. The theoretical nature of the modeling and the practical realities of implementation deserve greater attention. Local governments have spent decades expanding recycling, organics collection, education, technical assistance, grants, infrastructure, and policy initiatives. Despite these efforts, increasing diversion has become progressively more

difficult as programs mature and securing significant additional adoption exponentially challenging.

The report frequently assumes optimal participation, capture rates, and behavioral change but does not fully address the operational, political, financial, and social challenges associated with achieving those outcomes at scale. The report also underplays the role of or relevance to commercial, industrial and institutional waste generators, waste volumes and solutions where it is at least as important—if not more so—than addressing residential waste in making progress.

Cautions about misinterpreting the modeled scenarios given underlying conditions and assumptions need to be repeated in key portions. In our view, the transition pathway is more important than the modeled end state. The report would be strengthened by more discussion of implementation barriers and pragmatic achievements, reflecting the direction in legislation to include a "review of feasibility" necessary to meet the study goals. Further, confidence in modeling results would be enhanced with more transparency and specificity on assumptions, data sources and integrity and methodologies specific to presented results, with far more quantification of margins of error or anticipated ranges of deviation from modeled tonnage outcomes based on reasonably anticipated shortcomings or constraints of data or modeling assumptions.

Investments Required – significantly underestimated

The investments section identifies potential infrastructure needs and attempts to estimate facility costs, but it provides comparatively little discussion of program costs. This is a significant gap.

Achieving higher diversion rates will require substantial investments not only in facilities, but also in education, outreach, technical assistance, enforcement, contamination reduction, collection systems (including vehicle fleets), market development, reuse initiatives, and ongoing program administration. These costs are already significant for local governments and would increase considerably under the scenarios envisioned in the report.

The report also suggests that strategies higher on the hierarchy, such as waste prevention and reuse, may be less costly than downstream management approaches. While these strategies provide substantial long-term benefits, the report does not provide sufficient analysis to support broad conclusions regarding comparative costs. Establishing and scaling reuse systems (including for packaging and foodservice systems as called for in the Packaging Waste and Cost Reduction Act), changing consumer behavior, redesigning products, developing repair infrastructure, and creating durable market incentives all require significant investments that should be acknowledged and evaluated. We encourage the MPCA to expand the discussion of implementation costs and provide a more complete assessment of the investments necessary to achieve the modeled outcomes.

Further, the report largely ignores the most significant question as it presents estimates of the dollars required to expand infrastructure—who pays for what? The report overlooks and understates the critical role of private sector investment in infrastructure and providing collection and processing services. The report fails to identify which investments are best made using private resources to protect local governments and taxpayers from undue additional costs for expansion of infrastructure. It also fails to identify where public funding provides strategic

advantages to achieve programmatic or infrastructure gains. The report should articulate strategies that would entice private investment and infrastructure cost-sharing with the public sector, and highlight the importance of public policy, particularly at the state level, in creating conditions to encourage private investment.

One example of a misreading of how significant facility investments will be made can be seen in the discussion of Extended Producer Responsibility for packaging. Minnesota's Packaging Waste and Cost Reduction Act is correctly described as a policy that will help shift cost burdens from local governments to producers of packaging and packaged products. However, its impact in helping to address waste generation and gaps in infrastructure is far less than might be suggested by mistakenly implying the current law impacts 36% of the municipal solid waste (MSW) stream. The law covers primarily packaging from households and not the larger quantities generated by businesses and others, limiting the impact this policy can have in expanding reuse and recycling infrastructure. And since only compostable packaging—a small fraction of the overall organics waste stream—is covered in the law, the financial contribution of producers to expanding organics management infrastructure is even more limited.

A few examples of topics that should be enhanced in the Investments discussions:

- Highlight more strongly the importance of state partnerships with local government to finance needed infrastructure, particularly when private investment is inadequate or does not occur. The report should strongly call out the significant role that Capital Assistance Program (CAP) grant funding plays compared to other state funding sources for publicly-developed infrastructure.
- Examine the scope and scale of investment needed to update and expand capacity of existing material recovery facilities as a complement to building new facilities. Improving existing facilities may offer more cost-efficient ways to increase overall capacity and material recovery.
- Include information and analysis about incorporating anaerobic digestion (AD) into the facility investment mix, building on the two brief references in the text to AD as a management strategy. Minnesota has an example of a public/private partnership to invest in AD infrastructure to address organic waste that can be used as a case study.

State Policy – leadership needed

The report says progress toward the modeled scenario ultimately depends on steady improvements at the local level, but many of the most significant drivers of waste generation and diversion are beyond the control of local governments. The report does not place sufficient emphasis on the state-level policy changes necessary to achieve the future it envisions.

Responsibility begins at the top with state leadership on policies, funding and infrastructure development that matches the scope of the challenges and the ambition of the goals. The Partnership calls upon the Minnesota Legislature to lead policy efforts that advance the transition to zero waste, with expansion of ongoing and targeted appropriations for existing grants (e.g., SCORE (Select Committee on Recycling and the Environment), LRDG (Local Recycling Development Grants, CAP, recycling market development) and other funding tools (e.g., tax policy, bonding). The Partnership also calls on the MPCA to lead by holding all members of the solid waste system accountable for meeting goals and accurately tracking and reporting data, effectively overseeing implementation of producer responsibility laws, streamlining the

permitting process, leading market development efforts, facilitating stronger collaboration with local government and strengthening the implementation and enforcement of state laws that advance Minnesota's waste and recycling goals.

The report should be a stronger clarion for this call and articulate more clearly how significant progress towards the 90% target is undermined without robust and strategic state leadership.

Risk Analysis – not comprehensive

We appreciate the report's effort to incorporate human health, ecological risk, and social vulnerability considerations into statewide planning discussions. This analysis provides a valuable perspective and can help identify areas deserving additional evaluation. However, the analysis is not a comprehensive assessment and should not be used in isolation to guide major infrastructure or policy decisions. Important considerations such as climate impacts, transportation impacts, landfill impacts, implementation feasibility, and cost are not fully captured within these frameworks.

Also concerning is a significant limitation in understanding true risks to human health posed by the waste management system by primarily considering a simple count of facilities in geographic areas tied to social vulnerability as the chief marker of risk reduction. The analyses should be based on more robust data and be more connected to the variation of risks posed by waste management facilities and the contributions each plays in protecting the environment and human health while carrying out state waste management policies and achieving underlying objectives. The type and design of facilities, material type and volume of throughput, technologies and emissions controls used and historical regulatory compliance are but a few examples of factors that are more significant in understanding actual human health risks. Facility counts alone do not equate to useful understandings of the level of exposure or nature of risk experienced on the ground, nor does it account for facility-specific emissions, exposure or resulting health outcomes.

Mixed Waste Processing – necessary to accelerate progress

Source separation should remain the foundation of Minnesota's waste management system. However, after decades of investment in recycling and organics programs and public education, significant quantities of recyclable and compostable materials continue to enter the trash stream. Any realistic pathway toward substantially higher diversion rates must account for this reality. Mixed waste processing should not be viewed as a tool to be deployed after source separation has been perfected. Rather, it can serve as a complementary strategy that captures materials that would otherwise be landfilled and help accelerate progress toward diversion goals.

Zero waste leaders pursuing ambitious diversion goals, such as those in California, increasingly recognize that source separation alone is unlikely to achieve the desired outcomes and that some form of trash processing will remain necessary. For example, the San Francisco Board of Supervisors recently passed a resolution (Res. File No. 2025-05-COE) that says investing in trash processing is critical in order to meet zero waste targets.

Finally, we are concerned that the report's discussion of mixed waste processing is difficult to reconcile with the MPCA's own Metropolitan Solid Waste Management Policy Plan. Strategy 36 of the Policy Plan requires metro counties to establish pre-processing of waste at metro resource

recovery facilities and landfills by 2030, but the report frames mixed waste processing as a pathway to be avoided rather than a tool to be evaluated objectively. This sends conflicting policy signals: one state document requires pre-processing infrastructure immediately, while another appears to question its role entirely. This inconsistency makes implementation extremely difficult for metro counties.

Current System and Policies – not adequately described or aligned

The report does not adequately describe the state's established waste management hierarchy, align with statutory objectives to abate the need for land disposal or adequately convey current and future impacts of significant existing statutory policy such as the Packaging Waste and Cost Reduction Act (115A.144-1463) on waste generation and management infrastructure.

In addition, the report does not align with the policy established in the MPCA's Metropolitan Solid Waste Management Policy Plan, which statute requires to be implemented through metro county plans (473.803). One policy in the Policy Plan includes the goal to minimize the amount of metro land disposal that will occur. Because Minnesota cannot depend on landfills to manage our trash, we recommend the report incorporate the following from the MPCA's Policy Plan:

> *The Waste Management Act identifies a hierarchy that the MPCA is bound by statute to follow, which outlines WTE is preferred over landfills. The following items support this preference for WTE over landfills as a method for waste disposal.*
>
> - *WTE has a significantly smaller climate impact than landfills.*
> - *After closure, landfills continue to create pollution.*
> - *WTE recovers more materials and energy compared to landfills.*
> - *WTE provides other useful services, such as destruction of pharmaceuticals and drugs for law enforcement that would otherwise end up in landfill leachate and potentially surface and groundwater.*

Language and Organization Matter – greater clarity needed

The glossary should move to the beginning of the report to better prepare the reader for specialized language and acronyms in the report. The report would also benefit from revisions to clarify terms, concepts, approaches, and interpretations. Here are a few examples:

- The "90% Diversion goal" misnames direction in the legislation for a 90% target and overlooks waste prevention. The term "diversion" is not defined in the report. It is commonly understood to mean to apply to materials already generated. The direction is to establish a 90% reduction in disposal, including through waste prevention. The report muddles reuse and waste prevention in many locations, and gives little attention to actually preventing the generation of materials in the first place. The "90% diversion target" should be renamed the "90% disposal reduction target" to conform with the legislation and not inadvertently exclude waste prevention from the scope of the report's data, analysis and recommendations.
- The report would benefit from significant reorganization, addressing where both the organization of content and the language used blurs the line between objectivity and subjectivity. It is common to find recommendations and biases blending in sections where neutral statement or fact-based information should be provided. The report should

be organized to keep system descriptions, data presentation and analysis separate from recommendations or possible solutions, helping the reader more easily understand the current state of waste generation, management systems and policy and what it might take to move from there towards the 90% disposal reduction target.

- The report muddies the line between MSW and construction and demolition (C&D) debris. Small quantities of building materials do indeed show up in the MSW stream and are managed at MSW facilities, but largely speaking, statutes, rules and current management systems address C&D debris as a separate waste stream with unique collection, facilities and management strategies separate from MSW. References and actions related to C&D debris can confuse what should be included in the denominator and numerator when calculating 90% disposal reduction and can diffuse the legislative direction to focus on MSW. The report should be clear about data, policy and programming to address those building materials that show up in the MSW stream and not inflate expectations of achieving the 90% reduction target through reduction, reuse/salvage or recycling activities for C&D debris that otherwise would never be managed at MSW facilities or landfills.

Conclusions

As currently written, the report does not reflect the statutory, financial, system or implementation realities that local governments must navigate when planning the future waste management system. Counties have been increasing investments in waste reduction, reuse, recycling, organics recovery, infrastructure development, policy initiatives and data collection for several years now. Our experience suggests that achieving meaningful progress will require additional supportive legislation, substantially expanded funding and stronger state partnerships. The Partnership recommends that the report be revised to better acknowledge the issues identified above.

The Partnership appreciates the opportunity to provide these comments as the agency continues to refine the Resource Management Report and eagerly anticipates conversations to examine ways to further evaluate policy, facility and program development options to prevent waste, reuse, recycle and otherwise recover resources.

Sincerely,

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

Commissioner Mary Jo McGuire, Ramsey County
Vice-Chair, Partnership on Waste and Energy

Commissioner Fran Miron, Washington County
Partnership on Waste and Energy