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Letter 1: The purpose of this letter is to recommend additions to the Minnesota Pollution Control Agency's (MPCA) May 2026 DRAFT Minnesota Resource Management Report. The comments are offered with the understanding the MPCA was directed by the Legislature to write the report. However, substantial editing is needed to avoid misleading readers, waste management partners, and the Legislature. The edits are also required to have the report reflect current law.

Frankly, the report offers speculative and conjectural waste management options that divert the reader from current law, technical and financial feasibility, and potential environment impacts of "diversion".

The legislative charge conflicts with state law on its face. The aim of the charge, 90% diversion, appears from all available evidence to be neither technically nor financially feasible. If MPCA performs the analysis set forth in the charge, then it is likely that 90% "diversion" will be shown to be undesirable and create significant environmental risks due to added transportation and processing of "diverted" materials.

State Law

The report should restate policy outlined in Minn. Stat. 115A.02 and clearly set out that MMSW managed by resource recover systems is not disposal as per state law. The report needs to clearly outline the meaning of "feasible and prudent" alternatives to land disposal (as per Minn. Stat. 115A, sections 46, 49, 54, 84, and 917).

State law is focused on landfill abatement. "Diversion" is part of landfill abatement. MMSW Resource Recovery (RR) must not be labeled as disposal. It is not. Moreover, RR is a feasible and prudent alternative to land disposal. It is also effective in destroying toxic constituents in waste and recovering ferrous and non-ferrous metals that can recycled again and again and again without losing value or utility.

The report does not answer the Legislative charge. The report does not put the current aspirational nature of today's recycling goals in state law into perspective. The report does not identify barriers to progress in meeting current diversion goals. The report is silent on past reports and analysis. The citation of those reports demonstrates 90% "diversion" to be speculative and conjectural.

MPCA has legislative a mandate to report on all aspects of waste management and has a long and deep set of studies that demonstrate the real potential for reduction, reuse, recycling and resource recovery. Those studies include a comprehensive examination of greenhouse gas emissions in the waste management sector and potential opportunities to reduce emissions. Another is systems analysis of all aspects of waste management. Please at least summarize these reports and outline how they might bear on the report's purpose.

Feasibility

The report is weak on the assessing the necessity of secondary materials markets for even the most

cost-effective recyclable material markets. Existing markets need analysis for various paper grades, metals, and plastics. The report needs to explain how new markets for diverted materials will be created. Without effective commodity processing, transport, and stable end markets portions of the existing and aspirational diversion systems will collapse.

The report does not examine or even summarize the environmental impacts of transportation, intermediate processing facilities, or recyclable materials markets. We love aluminum can recycling. $.75 per pound at Alter Metal. Yet, the report ignores the dangerous air emissions resulting from smelters, transport and processing, and collection. This analysis for each commodity and market type is essential understanding trade offs between "diversion" and impacts.

The report needs to at least pencil out the cost and environmental impact of markets. Even with very strong demand in certain markets we can't seem to recover more material. Financial feasibility is the key to achieving even small incremental increases in recycling and organics recovery. Even the offer of $.75 per pound is insufficient incentive to recycle cans.

The report needs a section that balances feasibility and begins to answer the question of whether increased "diversion" is desirable. How much money will be needed? How will public policy supporting "diversion" be viewed by stakeholders and the public? The report seems to assume any waste can be transformed into a commodity. This is an unrealistic assumption.

Finally, the Report misses an essential environmental assessment of all the new transportation loops that are needed. This analysis needs to be added. MPCA performed a similar systems analysis more than a decade ago.

Results of Model Programs in Minnesota

MPCA needs to inform the legislature of the best performing recycling and organics recovery systems in Minnesota. For example, Winona County provides curbside recycling to all households regardless of location. The report needs to outline if the MPCA assumed that with sufficient political will, funding, and public participation, Winona's results might be feasible statewide.

These simple analyses are missing from the report. Adding these real life examples will put 90% diversion into perspective.

Diversion Priorities

The report must include a section on diverting materials with great environmental risks. Diverting a ton of glass is immaterial to achieving the aims of Minn. Stat. 115A compared to diverting one pound of metallic mercury.

This essential fact is missed in the charge. However, it should not be ignored by the MPCA in the report.

Letter 2: The purpose of this letter is to recommend revisions and additions to the Minnesota Pollution Control Agency's (MPCA)May 2026 Draft Minnesota Resource Management Report. These comments are offered with the understanding that the MPCA was directed by the Legislature to prepare this report. However, substantial revisions are needed to ensure the report accurately

reflects current Minnesota law, provides appropriate policy context, and presents a balanced evaluation of the technical, environmental, and economic feasibility of the waste management strategies discussed.

As currently written, portions of the report present future waste management scenarios without adequately distinguishing between statutory policy, demonstrated practice, and aspirational objectives. The report would be strengthened by providing additional context regarding feasibility, environmental tradeoffs, and existing Minnesota law.

The legislative direction to evaluate a pathway toward 90 percent diversion should include an objective assessment of whether such a goal is technically achievable, economically practical, environmentally beneficial, and consistent with Minnesota's existing waste management framework. Rather than assuming the objective is attainable, the report should evaluate the conditions necessary to achieve it, the associated costs, and any unintended environmental consequences.

State Law

The report should clearly restate the policies established in Minn. Stat. §115A.02 and reaffirm Minnesota's waste management hierarchy. It should also clearly distinguish municipal solid waste managed through resource recovery from land disposal. Under Minnesota law, resource recovery is a preferred waste management method and is not classified as disposal.

The report should further explain the statutory concept of "feasible and prudent" alternatives to land disposal as reflected throughout Chapter 115A, including sections addressing resource recovery, landfill abatement, and integrated waste management planning. This framework has guided Minnesota's waste policy for decades and provides important context for evaluating future management strategies.

Minnesota law is fundamentally directed toward reducing reliance on land disposal. Diversion is one component of that objective, but it should not be presented in a manner that conflicts with the statutory recognition of resource recovery as a preferred management method. Resource recovery remains a feasible and prudent alternative that not only reduces landfill dependence but also recovers energy and recyclable metals while destroying many hazardous organic constituents contained within municipal solid waste.

The report should also provide additional perspective by summarizing previous MPCA analyses, legislative reports, and statewide planning efforts related to waste reduction, recycling, organics recovery, and resource recovery. Minnesota has conducted extensive research over several decades regarding the practical limits and costs of these systems. Summarizing those findings would provide policymakers with important context when evaluating future diversion goals.

Feasibility

The report should include a more comprehensive discussion of the practical feasibility of achieving higher diversion rates.

Successful recycling and organics recovery depend upon stable commodity markets, efficient collection systems, transportation infrastructure, processing capacity, and reliable end markets. The report gives relatively little attention to these factors, despite their importance in determining whether additional diversion can be achieved in practice.

Financial feasibility is equally important. Increasing diversion generally requires additional collection, sorting, processing, transportation, and market development. The report should evaluate these costs alongside expected environmental benefits and discuss the level of public investment necessary to achieve incremental improvements beyond current diversion rates.

The report should also examine the environmental impacts associated with expanded diversion systems. Additional collection routes, transfer operations, intermediate processing facilities, transportation to end markets, and manufacturing processes all contribute to the overall environmental footprint of recycled materials. These impacts should be evaluated using a life-cycle perspective rather than considering individual management methods in isolation.

For example, aluminum recycling represents one of the most successful and valuable recycling markets. However, collection, transportation, processing, smelting, and remanufacturing each involve environmental impacts that should be acknowledged when evaluating the overall benefits of increased diversion. Similar analyses should be provided for other major recyclable commodities.

Throughout the report, environmental impacts are frequently presented independently rather than in comparison with practical management alternatives. Comparative analyses of waste prevention, recycling, organics recovery, resource recovery, and landfilling would provide policymakers with a more balanced understanding of the relative environmental, economic, and operational tradeoffs associated with each management strategy.

The report should also evaluate whether achieving a statewide diversion rate approaching 90 percent would require significant expansion of collection systems, transportation networks, processing facilities, and end markets, and assess the environmental and economic implications of those additional infrastructure requirements.

Results of Successful Minnesota Programs

The report should summarize the performance of Minnesota's highest-performing recycling and organics recovery programs and place those results into perspective.

For example, Winona County provides curbside recycling service to households throughout the county regardless of location and has consistently achieved among the highest recycling rates in Minnesota. The report should evaluate whether similar results could reasonably be achieved statewide under varying demographic, geographic, and economic conditions, and identify the policy, funding, and participation levels necessary to do so.

Providing examples of successful existing programs would offer legislators a more realistic understanding of what has been demonstrated in practice and what additional investments would be required to achieve higher diversion rates statewide.

Diversion Priorities

The report should recognize that not all diverted materials provide the same environmental benefit.

Priority should be given to diverting materials that present the greatest potential environmental or public health risks if improperly managed. For example, preventing the release of relatively small quantities of hazardous materials, such as elemental mercury or rechargeable lithium batteries, may

provide substantially greater environmental benefit than diverting much larger quantities of inert materials.

Recognizing these differences would help establish priorities based upon environmental outcomes rather than diversion percentages alone.

Conclusion

The Draft Minnesota Resource Management Report represents an important opportunity to inform future legislative policy. To best serve that purpose, the report should present a balanced evaluation grounded in existing Minnesota law, practical experience, technical feasibility, and comprehensive environmental analysis.

A more complete discussion of statutory policy, historical program performance, economic feasibility, market realities, transportation requirements, and comparative environmental impacts would provide legislators and stakeholders with a stronger foundation for evaluating future waste management strategies and determining whether additional diversion goals are both achievable and environmentally beneficial.