



Minnesota Pollution Control Agency

Solid Waste Issues as of May 5, 2007 - Collated by Subject

SOLID WASTE POLICY - GENERAL COMMENTS

1. Identify state and local funding mechanisms that will be required to continue to deliver integrated waste management systems into the future.
2. State investment in the three requirements for successful statewide rural solid waste collection service: information, convenient access to service, and effective regulation of on-site disposal.
3. Establish regional forums similar to the Northeast Waste Advisory Council (NEWAC) that consist of municipal and/or county staff and their commissioners, to promote the dissemination of information and input on environmental programs.
4. Association of Minnesota Counties (AMC) supports allocating 100 percent of the revenue generated by the Solid Waste Management Tax to state and county product stewardship, household hazardous waste, and other waste management activities.
5. A Minnesota Pollution Control Agency (MPCA) "Public Entity" compliance goal priority to support resource recovery and recycling.

SOLID WASTE RULES - GENERAL COMMENTS

1. MPCA should completely evaluate and be prepared to redraft the entire solid waste rules. *Mike Hanan*

SOURCE REDUCTION

1. 115A.55, subdivision 4, Statewide Source Reduction Goal. Did the state meet the goal by December 31, 2000? If not, there should be a discussion on this. How should the strategy be changed and why didn't the previous strategy work? Maybe information from the USEPA Source Reduction Report should be incorporated into this Report. A recent EPA report, Municipal Solid Waste (MSW) in the United States: 2000 Facts and Figures, chronicle the solid waste generation and recovery rates over the past few decades. The EPA estimates if the level of source reduction did not occur in 1999, 22 percent more MSW would have been generated. Overall, where is the state at in source reduction? *Doug Morris, Crow Wing County*

PURCHASING

1. AMC supports efforts to establish product stewardship (i.e., the responsibility for products from initial design to the end of product life), including electronic products, among manufacturers, retailers, and consumers, with the emphasis for product stewardship activities placed on industry.
2. A Governors Executive Order or legislative mandate for a strong state Environmental Purchasing Program (EPP) that would mirror the EPP Executive Order signed by President Bush (Jan 07) and would focus on five priority products as identified by the PCA solid waste strategic goals and the PCA's Environmental Education Advisory Council.
3. Integrate more EPP and pollution prevention efforts with current enforcement or assistance- *Angela Bourdaghs MPCA*
4. Require public entities to purchase at a minimum, thirty percent post-consumer recycled content paper and encourage the purchase of 100% post-consumer recycled content paper and FSC certified paper.
5. Extend the 10 percent price preference to other environmentally preferable attributes such as less hazardous, more durable and energy efficient products.
6. Rules: incorporate more environmentally preferable purchasing into current process.

RECYCLING

1. Establish a certification process for Materials Recovery Facilities that includes standardized reporting requirements that are verifiable and auditable. *Tim Pratt (Association of Recycling Managers) city of Roseville*
2. Apply the definition of recycling to Materials Recovery Facilities and enforce MRF compliance with state statute. *Tim Pratt (Association of Recycling Managers) city of Roseville*
3. Markets and market alternatives. Markets for traditional recyclables, such as glass, become economically out of reach or simply disappear. The state should be aggressively preserving these markets, or encouraging new markets, through financial incentive, to locate in the state. In the event that markets (green glass for example) dry up, alternative use, such as crushing for daily landfill cover or mixed aggregate, should be allowed. This material should be allowed to be counted in SCORE reports. *Karl Nilsen Goodhue County*
4. AMC supports increasing SCORE funding for grants to counties to administer the recycling programs mandated by the legislature and reduce the amount of materials that are landfilled in the additional amount of \$10 million for FY08-09 and \$12 million for FY10.
5. Increase SCORE funding for grants to counties to administer the recycling programs mandated by the legislature and reduce the amount of material that is landfilled- *Counties Carolyn Smith via Tim Pratt (Association of Recycling Managers) City of Roseville*
 - FY 2008-2009 = \$10,000,000 (in addition to current)

- FY 2010-2011 = \$12,000,000 (in addition to current)
6. Revise SCORE so that an annual increase is established and given to each county based on the Consumer Price Index (CPI) over a five (5) year period. In the third year, a review and recommendation would be given the legislature establishing the next five years of funding. As a result, counties may continue to meet their solid waste management system expenses as they increase over time.
 7. Survey those institutions (e.g. school districts) within the state that fall under the definition of “public entity” to determine compliance with their county solid waste management plans
 8. The current space requirements outlined in the Building code under 1303.1500 RECYCLING SPACE is woefully inadequate in many situations to allow businesses to recycle. The current space requirements in the building code use a factor vs. SF requirement for a multitude of uses. This can be complicated to interpret- *Jean Buckley City of Bloomington*
 9. 115A.15, subdivision 5, Report - State Government Resource Recovery. This Report should reference this and also provide a summation of the state’s efforts. This will reflect the scope of the states efforts in what has been accomplished through its agencies. Did the state agencies meet their goal as outlined in subdivision 9? Issues or concerns highlighted in this report should also be brought forth in this Policy Report.
 - a. In 2002, the State Administration Department announced its plans to reduce the level of recycling, as they could no longer afford the existing recycling efforts for the state buildings (including the Capital). This action was a result of the State Legislature first deficit-fixing budget for FY03. What was the impact of the shortfall from the 2004-2005 biennium of \$4.6 billion in the local institutions (local schools, State agencies, and hospitals located in the county’s) and the resulting impact to their existing solid waste programs? *Doug Morris, Crow Wing County*
 10. 15A.151, State and Local Facilities. State statute outlines,- " a state agency or local unit of government or school district outside the metropolitan area shall ensure that facilities under its control, from which mixed solid waste is collected, have containers for at least three of the following recyclable materials; paper, glass, plastic, and metal, and transfer all recyclable materials collected to a recycler." What is the compliance with this? Is there any procedure in place for the MPCA to track this? If not, how does MPCA plan to track this in the future? Should state funds be tied to an agencies compliance with this requirement? Government needs to lead by example, and this is a key issue that needs to be tracked to ensure compliance. This in turn will assist counties in reaching their recycling goals. *Doug Morris, Crow Wing County*
 11. 115A.951, Telephone Directories. Incorporate information in the OEA November 7, 2000, letter concerning the summary of 2000 Recycling Reports on telephone directories. With a 26 percent recycling rate, this area needs to be explored on why this is not living up to expectations. *Doug Morris, Crow Wing County*

SEPARATED COMPOSTABLES

1. 115A.931, Yard Waste Prohibition. The State of Minnesota banned yard trimmings from all landfills within the state in 1992. The pre-ban estimate for yard waste was 18 percent of the state's waste stream. Immediately afterward, it declined to 2.7 percent. Through two waste composition studies, the state has concluded yard waste making its way to landfills declined by more than 80 percent as soon as the ban went into effect. A second composition study conducted in 1999 found a nominal decrease in yard waste to 2.3 percent of the waste stream, providing no evidence of backsliding. This appears to be a success story. Again why and what lessons learned can be used in other areas of solid waste? *Doug Morris, Crow Wing County*
2. Biodegradable bag v.s. non-biodegradable bag for collection of organic material- *Ginny Black MPCA*
3. Remove source-separated organics from the definition of Mixed Municipal Solid Waste (MN Stat., 115A.03 Subd. 21. (b)) *Tim Pratt (Association of Recycling Managers) city of Roseville*
4. Establish a separate permitting process for organics composting facilities similar to the permit by rule process for yard waste composting facilities *Tim Pratt (Association of Recycling Managers) city of Roseville*
5. Establish a certification process for source-separated organics composting facilities that includes standardized reporting requirements that are verifiable and auditable *Tim Pratt (Association of Recycling Managers) city of Roseville*
6. Add source-separated organics (or SSCM) to the state's waste management hierarchy 115A.02 (b) (3) to clarify that organics composting is on par with food waste and yard waste composting *Tim Pratt (Association of Recycling Managers) city of Roseville*
7. Remove hurdles to organics composting so that the regulatory structure does not treat organics the same as municipal solid waste- *Erik Sivola Great River Energy*

COLLECTION, FLOW AND DIRECTION OF MSW

1. State promotion of city and county adoption of comprehensive organized (public and private) collection systems.
2. AMC opposes "inverse condemnation" legislation that would restrict the ability of local governments to implement organized waste collection.
3. Rule language specifically requiring county's to name or designate a MSW disposal facility preference and the processing or disposal method within county solid waste management plans.
4. Inverse Condemnation. The state needs to be promoting that all cities provide organized collection. This has many benefits; under this concept cities can address yard waste, curbside collection, bulky items, and other solid waste issues (i.e., flow control) in conjunction with the county solid waste management plan. Majority of the waste generated is in an urban environment, if we can control this we have made a significant impact on solid waste management. The state needs to come out opposed to inverse condemnation. *Doug Morris, Crow Wing County*

5. Depending on the Supreme Court decision on flow control concerning the United Haulers Association v. Oneida-Herkimer Solid Waste Management Authority will have huge impacts. Waste assurance is the key to any in-depth county integrated solid waste management system capital improvement plans. *Doug Morris, Crow Wing County*
6. AMC supports the ability of counties to effectively exercise waste assurance tools that are authorized by state law, including the passage of federal legislation to allow counties to exercise flow control authority.
7. Need to address why in 2000, Minnesota was ranked as number 10 as a net exporting state, and what is the volume still being exported? If the underling issue of the Waste Management Act was managing our solid waste, is it now the state's policy for another state to manage it for us? *Doug Morris, Crow Wing County*
8. 115A.9302, Waste Deposit Disclosure. Is this being enforced? The increased amount of solid waste leaving the state makes this even more important with Minnesota being a net exporting state. *Doug Morris, Crow Wing County*
9. Waste Assurance: Successful resource recovery facilities rely on a certain volume of waste daily to be economically feasible. Relying on counties to affect waste assurance through contracts and threats of, or implementation of organized collection places counties in legal and political difficulty. The state should provide leadership with adequate financial and legal tools to support counties. Fully funded state mandates and financial incentives should be implemented on the state level to further that goal. *Karl Nilsen Goodhue County*

WASTE COMBUSTION FOR ENERGY

1. MSW be processed through resource recovery. Fully funded state mandates and financial incentives should be implemented on the state level to further that goal. *Karl Nilsen Goodhue County*
2. AMC supports reinstating the state solid waste processing credit to counties that process waste at waste to energy or compost facilities.
3. The AMC supports increased communication with the state about permitting of new solid waste burning/incinerating facilities.
4. Advanced Technologies: New technologies such as plasma incineration should be explored and funded. See: <http://www.startech.net/> as an example. *Karl Nilsen Goodhue County*
5. Rules - Gasification and plasma technology.

MSW LAND DISPOSAL AND TRANSFER FACILITIES

1. AMC supports efforts to increase communication with the MPCA to discuss landfill capacity and Certificate of Need.
2. Leachate re-circulation
3. New rule language or landfill permit conditions that ties the CON capacity and the issuance date to the remaining permitted landfill capacity and the operating permit expiration date.

4. Issuing/reissuing solid waste permit for a 10 year period as opposed to a five year period. *Dave Reimer w/ Boise via Julie Henderson*
5. Minn. R 7001.3050 subp. 3: Define what adjacent means. *Cory Boeck MPCA*
6. Outdated numbers in the rules need updating because of Health Department rule changes from RALs to HRLs when it comes to assessing contamination

OPEN BURNING AND BURIAL

1. Open Burning/Burn Barrels. State-wide ban on burn barrels, unless a local government unit can justify to the MPCA through a public process the need for an exemption to a burn barrel ban. Substantial penalties for non-compliance should be attached. *Karl Nilsen Goodhue County*
2. 88.171, Open Burning Prohibition.
 - a. This goes back to an open issue with many counties have concerning burn barrels. The DNR needs to be part of this and address this issue in this Report. Enforcement should not be dumped upon the counties.
 - b. Tie in the new burn barrel initiatives.
3. AMC supports the statutory authority of counties to create local ordinances related to burn barrels; however, AMC encourages the MPCA to continue efforts to educate Minnesota residents on the issues associated with burn barrels.

PROBLEM MATERIALS IN MSW - BULKY ITEMS

1. Bulky items are an ongoing issue for residents, haulers, and solid waste disposal operations. One of these concerns has been mattresses. WLSSD, OEA, and members of NEWAC established a Mattress Recycling/Disposal Work Group and developed and implemented a program to deal with mattress disposal practices in the region. Bulky items are an ongoing issue for residents, haulers, and county landfill/transfer station operations. Haulers find them difficult to deal with, and they are an operational issue in landfill operations. For example, the wire from mattresses tends to wrap around the wheels of the trash compactor and cause maintenance problems. In addition, the average mattress consumes a cubic yard of landfill space and does not compact as normal refuse, causing a loss of valuable landfill space. If this item is recycled, it will increase the county recycling rate, remove an operational issue at the landfill, and extend the life of the county landfill. This effort needs to be endorsed in this Report. *Doug Morris, Crow Wing County*
2. Bulky items are a prime target for product stewardship and a heightened effort like the state did with white goods. *Doug Morris, Crow Wing County*
3. Legislation to abate the spread of mattress Bed-Bug infestation by prohibiting the sale or reuse of all used mattresses and box springs generated for disposal by the hospitality industry and educational institutions and establishing a fee on the sale of new bedding for enforcement of the law and to fund efforts to establish recycling facilities for used mattresses and box springs in Minnesota.
4. In an effort to abate the spread of bed bugs, all mattresses and box springs generated for disposal by the hospitality industry and educational institutions should not be allowed to be sold or reused. A fee shall be established on the sale of new bedding to

enforce this law and to fund efforts to establish recycling facilities for used mattresses and box springs in Minnesota.

PROBLEM MATERIALS - HAZARDOUS WASTE

1. Existing state policy is this type of waste must be managed separately. Minnesota hazardous waste rules (not federal) regulate Very Small Generators (VSQGs - generate 220 pounds or less hazardous waste per month). After seventeen (17) years, this still remains an area of concern in Greater Minnesota for the following reasons:
 - a. In 1993, the Lake Superior Basin did door-to-door site visits to locate hazardous waste generators. Through this effort, 611 additional generators were identified, accounting for 54 percent of the known generators at that time. Of those newly identified generators, 360 or 59 percent was mismanaging a total of 40 tons of hazardous waste; and
 - b. In addition, Olmsted county, another Greater Minnesota County, completed a survey in 1995. This survey indicated that 9 out of 10 businesses produce hazardous waste. This county has about 3,500 businesses of which only 700 were listed in the State's database, for an estimated compliance rate of 23.3 percent. *Doug Morris, Crow Wing County*
 - A key aspect of the Waste Management Act as outline in 115A.02(a)(1) is “Reduction in the amount and toxicity of waste generated.” This is also a key issue for solid waste disposal facility - toxicity of the waste.
 - These laws are still in effect, yet many Regional MPCA offices have lost manpower necessary to enforce these regulations.
 - This needs to be identified as an area of concern, and MPCA needs to show how it plans to address this area. A few years back there were meeting between the MPCA and counties to address the VSQG issue. Greater Minnesota counties made recommendations to modify the rules to assist in bringing more companies into compliance. NO changes were made. MPCA needs to re-establish meeting with Greater Minnesota to address this issue.
2. Another key program is the partnership between the MPCA and the counties in regards to the household hazardous waste program as outlined in 115A.96.
 - a. The Report needs to highlight the success of this program. For example, show the amount of waste that has been processed through this program and the scope of the program, i.e., numbers of counties participating, etc. We need to “toot our horn” here. For example, our county program has managed over 389 tons of hazardous material since we started our program in 1993. What is the potential impact if not properly managed? Need to stress the point this program is cheaper than trying to clean up the environment after the material is improperly disposed into the environment. In attending national conference concerning HHW program,

I feel Minnesota has the best overall statewide program. Many states have outstanding individual county programs, but this is not reflected statewide in all the other counties within their state. A key high light is this state's disposal contract (this has ensured a low disposal cost versus 87 individual contracts), state run training for the HHW personnel, etc.

- b. Need to clarify to legislators that the HHW program is not a dumping ground for any new "flavor" of the week. This legislator session there was an effort to dump florescent bulbs onto the HHW program. In addition, there was no funding to offset this cost.
- c. For our county HHW program, the MPCA annual grant for HHW only funds 10 percent of the overall cost to operate the HHW program for our county. I am sure this is a good generalization of other county programs. Again, the counties are shouldering the majority of the costs. *Doug Morris, Crow Wing County*

PROBLEM MATERIALS - MAJOR APPLIANCES

1. The 2005 nationwide appliance recycling rate was almost 90 percent. This means the steel in appliances is recycled at a rate exceeding the overall steel recycling rate of 75.7 percent.
 - a. What is the Minnesota rate? I would think it is higher since there is an actual landfill ban on these items.
 - b. From 2002 - 2006 our county Landfill site handled 22,866 appliances or 77 percent of the estimated generation for our county. The county program is dealing with the percent not handled by a local scrap metal recycler. In some cases, our site is more convenient. If there was no county program, what would happen to these appliances? *Doug Morris, Crow Wing County*

PROBLEM MATERIALS - AG PESTICIDES

1. AMC supports allocating a portion of funds form the Pesticide Regularity Account to reimburse costs of county sponsored collections of household pesticides. AMC also supports a change of Minnesota Statutes, Chapter 18B, clarifying that the Minnesota Department of Agriculture is responsible for providing comprehensive and accessible disposal options to commercial generators of pesticides.
3. AMC supports efforts continuing the Minnesota Department of Agriculcures' financial support of waste pesticide collection and disposal at the funding level provided in state fiscal year 2001.
4. Another hazardous waste program (12B.065) is the partnership between the counties and the Minnesota Department of Agriculture to accomplish waste pesticide collection. The counties through a partnership with the Minnesota Department of Agriculture (MDA) provide a waste pesticide collection program for the state. There is no cost for the participants under certain amounts. This is funded through the Pesticide Regulatory Account (PRA) that is funded by a fee

charged to pesticide manufacturers for both agricultural and nonagricultural products that sell pesticide in Minnesota. The fee is set at 0.4 percent of the annual gross pesticide sales within the state. This was agreed to by the manufactures and legislature as an effective product stewardship policy for proper disposal of unwanted or unusable waste pesticides, with the costs paid up front. By statute, at least \$600,000 per fiscal year must be transferred from PRA to the Waste Pesticide Account. In 2004 this was changed to \$300,000.

- a. The Report needs to highlight the success of the funding source for this program, the coordination and implementation the Dept of Ag accomplished with the counties. Also, amount of waste processed and overall scope of the program.

- b. If the Dept of Ag already does a report on this, this should be referenced.
Doug Morris, Crow Wing County

5. Address the recent effort by the counties to get this program back on tract. Report needs to highlight this as a “model” product stewardship initiative that should be strengthened not reduced. Funding needs to be restored back to \$600,000; with \$550,000 going to actual pesticide collection and disposal versus “admin” support costs as in the past. Hit other items addressed in legislation being offered this year.

PROBLEM MATERIALS - MEDICAL WASTE

1. With the increase in home care and residents who treat themselves for illnesses, an increase in sharps in the waste stream has occurred. With the states emphases on processing waste this issue needs to be addressed. A program needs to be established to give residents a safe option for disposal. *Doug Morris, Crow Wing County*

PROBLEM MATERIALS - TREATED WOOD

1. In approximately 15 years, the amount of CCA treated wood, headed for disposal, is expected to peak and we are beginning to see an increase in the disposal rate of this material at our county landfill. Other common wood preservatives include creosote and pentachlorophenol, but the predominant preservative used was CCA. CCA-treated wood was not widely used until the early 1970s. Today CCA-treated wood represents nearly 80 percent of the market, with more than 450 million cubic feet currently being sold in the United States. This is a concern for research indicates arsenic is leaching from CCA treated wood at levels above the national safe drinking water standard. Minnesota is unique in that it did not adopt federal hazardous waste exemption for CCA treated wood. Treated wood is classified as an industrial solid waste in Minnesota and must go into a MMSW landfill. *Doug Morris, Crow Wing County*
2. Currently the only option identified by the MPCA is landfilling for this material. As a county facility, our primary goal is to service the needs of our residents. Being rich in number of lakes, we have a significant amount of treated wood used on decks, docks and other items. When this starts to impact our leachate quality in our landfill, do we ban it from our facility thus leaving no available disposal option for our

residents or will the state work with Greater Minnesota landfills on addressing this issue? Similar to Chronic Wasting disease issue. *Doug Morris, Crow Wing County*

PROBLEM MATERIALS - PRODUCTS WITH "LISTED METALS"

1. 115A.9651, Listed Metals: Address the report as outlined in Subdivision 5, paragraph (c) (2). How will this effect the reduction of toxicity in the waste? *Doug Morris, Crow Wing County*

PROBLEM MATERIALS - PRODUCTS WITH MERCURY

1. 115A.932, Mercury Prohibition - A major concern is the amount of mercury containing items that are being disposed of in the existing demolition landfills as part of current demolition practices. What is the MPCA doing about enforcing this or addressing this issue? *Doug Morris, Crow Wing County*
2. There is a national program through the Thermostat Recycling Corporation. The trouble is, only wholesalers can participate. What can the state do to ensure more wholesalers in Minnesota participate and this program is available to be utilized by county HHW program? This program needs to be made available down to the county level.
3. Another major issue is mercury switches and salvage/junkyard operations. What is the MPCA doing about enforcing this or addressing this issue? Why did MPCA in their February 2001, MPCA Staff and Environmental Work Reductions shows 3 FTE for salvage yards/CFC going away - program elimination. How does the completion of a salvage yard manual (dated December 1994 with no updates) eliminate this issue? It is a great starting point, now execution of this is critical. Again a key issue the Report needs to address is compliance and enforcement of the existing laws, rules and regulations. *Doug Morris, Crow Wing County*
4. -According to the Association of Lighting and Mercury Recyclers, the national lamp recycling rate is about 20 percent. The amount of mercury contained in fluorescent lamps has declined significantly, from an average of 48.2 mg per four-foot bulb in 1995 to less than 5 mg in the Philips Alto lamp. At the same time, the quantity of fluorescent lamps in use has increased.

Since lamps are banned from the MSW in Minnesota, one would expect the recycling rate is much higher for Minnesota than the national average. What is the compliance in this area? How many are being captured through recycling versus the number sold each year? Our county requested information from the major bulb disposal retailers. Based on this information, about 39,517 pounds of bulbs were managed within our county. *Doug Morris, Crow Wing County*

PROBLEM MATERIALS - WASTE TIRES

1. 115A.906, Waste Tire Nuisance - The MPCA received funding under the Motor Vehicle Transfer Fee (115A.908) for used tires. Most counties worked closely with MPCA to remediate inactive waste tire disposal sites in the early 90's utilizing this fund as outlined in 115A.912 - Waste Tire Management. This program mostly addressed the existing large tire piles. Houston County was able to get additional funding a few years back to address the smaller pile issue, and it proved to be a great success. Many counties still have an issue with existing small tires piles located throughout our counties that range from 10 - 1,000 tires. These tires are here for many reason but most are old tires left by a previous owner or previous practices on the property. SWAA has raised this question in the past to both the MPCA and OEA whether there is a chance to bring back a modified tire program to address these small tire piles similar to Houston County. A growing national concern is mosquitoes that carry West Nile Virus (WNV). Cases have now been reported here. Mosquitoes often breed in stagnant water of waste tires. *Doug Morris, Crow Wing County*
2. Why did MPCA in their February 2001, MPCA Staff and Environmental Work Reductions show the FTE for tires going away due to "Program succeeded, no more cleanup assistance."? This is contrary to what the counties have been requesting and the reality of the significant amount of tires that still exist throughout the landscape.
3. As part of the 2002 Legislative actions, Chapter 382 repealed the authority for the MPCA to make grants and loans to eliminate waste tires stockpiles. Is this an example of MPCA distancing themselves from solid waste issues and ignoring valid concerns of existing issues identified by counties?
4. Where is this funding now going? The fee still exists.
5. In 2005, per the Rubber Manufactures Association, the annual tire replacement amounted to 299 million tires nationwide. It is estimated that 90 percent are returned by the consumer to the thousands of retail locations across the country when worn out tires are replaced by new ones. In 2005, it was estimated that the end-use markets consumed 87 percent (seven out of eight scrap tires) of the annual take-off produced. Scrap tire for energy is currently the largest market. In 2005, 52 percent of scrap tires disposed of in the US was used for tire-derived fuel.
6. The remaining 10 percent and existing small tire stockpiles located throughout the state needs to be addressed. What is the program to capture these back into the system for proper disposal actions?
7. From 2002 - 2006 our county landfill site handled 47,869 tires or 16 percent of the estimated tire generation for our county. The county program is dealing with the 10 percent and the amount of tires still out on people's property that needs to enter the solid waste stream so they can be properly managed. In many cases, the retailers do not take tires beside the ones they replace. So if it wasn't for our county program, where would people bring these old tires too? There still exists a significant amount of tires that are not getting into the solid waste system to be properly managed.

8. There are only 4 (?) tire processors in the State. How viable are they? How did the proposed tire burner in southern Minnesota tie into this? Should the state be more supportive to a similar plan in the future to ensure a viable disposal venue for tires in Minnesota?

PROBLEM MATERIALS - BATTERIES

1. 115A.915, Lead Acid Batteries: Lead-acid batteries have the highest recycling rate of any product sold in the United States. Based on Battery Council International, the national recycling rate for batteries is 97 percent. The Minnesota rate should be the same, if not higher. Here is a real success story, the reason why should be explored and promoted for other programs. *Doug Morris, Crow Wing County*
2. From 2002 - 2006 our county landfill site handled 5,550 batteries or 5.7 percent of the estimated generation for our county. The county program is dealing with the percent not handled by the retailers. In many cases, our site is more convenient than the retailers. If there was no county program, what would happen to these batteries?
3. Under 239.011 & 54 the Division of Weights and Measures shall distribute and post notices for used motor oil and motor filters and lead acid battery recycling in accordance with sections 239.54, 325E.11 and 325E.115. The Report should address if this is actually occurring. There are retailers in my area that do not have these notices posted. *Doug Morris, Crow Wing County*
4. 115A.9155 & 115A.961, Disposal of Certain Dry Cell Batteries. Many national organizations have initiated recycling programs for this as required under subdivision 5. *Doug Morris, Crow Wing County*
5. Larger issue here is the disconnect between national programs and local solid waste officers. National programs are not being coordinated down to county solid waste officers. If counties know which local businesses or national outlets are available for these items, counties could incorporate this information into their educational information. This would increase the amount of material entering into this solid waste stream for proper manage.
6. 2006 was our first year to obtained data from RBRC and other recycling programs within the county. They reported 4,585 pounds of batteries managed within our county. This appears to be a significant amount.
7. Per subdivision 5, each manufacture shall provide information on the amount sold and the amount collected during the previous two years. This information should be part of this Report. Are they reaching the 90 percent goal? And if not, this should be addressed in this Report. This also relates to toxicity in the waste. *Doug Morris, Crow Wing County*
8. Is it possible for RBRC (Rechargeable Battery Recycling Corporation) to provide the amount that is being recycled in Minnesota? What is the success of this program for Minnesota? Then the next question would be; how to increase participation?

PROBLEM MATERIALS - USED OIL

1. 115A.916, Motor and Vehicle Fluids and Filter; Prohibition - The January 1999 MPCA report, "Do-It-Yourselfers Used Oil and Filter Recycling - A Report to the Environmental and Natural Resources Committees of the Senate and the House of Representative" estimates that there are approximately 3.5 million gallons of DIY used oil generated annually in Minnesota. The total amount of used oil collected from DYIs in Minnesota is approximately 2.5 million gallons. Approximately 775,000 gallons or 22% is mismanaged (e.g., illegally disposed) and approximately 225,000 gallons is burned for heat or reused. *Doug Morris, Crow Wing County*
2. This is further strengthened by the 1999 Used Motor Oil and Oil Filter Study (OEA, January 2000), according to a telephone survey, 68 percent of vehicle owners pay to have their oil changed at a service station or shop specializing in oil changes. Eighteen percent change their oil at home, and another 14 percent changes their oil both at home and commercially. As this outlines, the majority of people are utilizing commercial oil changing opportunities versus doing-it-yourself. However, there still remains a significant amount of people who change their oil at home, and there seems to be an increase in utility vehicles (lawnmowers, four wheelers, etc.) that have oil filters requiring people to change their own oil. *Doug Morris, Crow Wing County*
3. In January 2001, OEA came out with a report analysis of disposal for do-it-yourselfer used oil filters. Issues and concerns brought out in this should be addressed in this Report.
4. Overall, what has been the success of this program? How much of the used oil, used filters, and antifreeze is being captured under the existing recycling efforts?
5. Our county's 2002 Comprehensive Local Water Plan identified illegal dumping of used oil as a pollution source of concern and recommended the development of a program for used oil collection. The county received a grant in 2002 from OEA to assist in the upgrade of the used oil storage tank at the site complex and to install a tank in the city of Crosby in addition to six other sites. The majority of the funding came from the county. These are below ground used oil collection tanks (4,000 gallons). The placement of the drop-off sites offers convenience for county residents; each location has been strategically placed to be within 10 miles of any county resident. Most collection sites are self-service centers that are open 24 hours, seven days a week. In 2003, the additional six (6) sites were installed throughout the county. Our ninth tank was installed in 2005. In 2004, our first year, when all eight tanks were operational for an entire year, this program took in 26,077 gallons of used oil or 11 percent of the oil generation for the county. This was 50 percent of our goal of 22 percent that was identified by the MPCA as the amount being mismanaged. In addition, the program took in 1,000 gallons of antifreeze and 57 55-gallon drums of used oil filters in 2004. Again, if our county didn't have such an aggressive program how much would have ended up in the environment? What can the state do to encourage more counties or business to have a similar in-depth program? In 2006, this program took in 36,185 gallons of

- used oil or 14.7% of the used oil generated within our county, plus 1,122 gallons of antifreeze and 80 55-gallon drums of oil filters.
6. Motor Oil legislation was passed in Minnesota in 1997 specifically requiring the industry to ensure that each county have at least one free site, in addition to any free government site.
 - a. The issue here is none of this is being or has been coordinated through county solid waste officers. If the counties know which local businesses will take this material within their county, they could then incorporate this information into their educational information.
 7. Under 239.011 & 54, the Division of Weights and Measures shall distribute and post notices for used motor oil and motor filters and lead acid battery recycling in accordance with sections 239.54, 325E.11 and 325E.115. The Report should address if this is had actually been occurring. In 2004, our county contacted and provided a sign (94 were posted in area motor oil retailers) promoting the eight used oil drop-off sites to all the motor oil retailers located within the county. During this visit only 2 of the 94 stores had a sign posted prior to our visit.

PROBLEM MATERIALS - ELECTRONICS

1. Electronics (e-waste) recycling efforts should be funded or reimbursed through the state, as should any waste streams that are created through state mandated disposal restrictions *Karl Nilsen Goodhue County*
2. What will be the direction/policy recommendations the MPCA wish to take to address this material?
3. Shared responsibility among manufacturers, retailers, generators, as well as local governments that choose to participate in the management of electronic waste- *Amy Roering via Tim Pratt (Association of Recycling Managers) city of Roseville*
4. Reliable and convenient recycling services for all Minnesota households- *Amy Roering via Tim Pratt (Association of Recycling Managers) city of Roseville*
5. Recycling services for a broad range of electronic components including video display devices (VDD), central processing units (CPU) and associated peripheral products such as keyboards, mice and printers- *Amy Roering via Tim Pratt (Association of Recycling Managers) city of Roseville*
6. Responsible recycling and management of electronic wastes that maximizes reuse and recycling of the components and protects human health- *Amy Roering via Tim Pratt (Association of Recycling Managers) city of Roseville*
7. The cost of recycling services should be borne by manufacturers, retailers, consumers, or a combination thereof, without end-of-life fees. The cost of recycling should not be borne solely by local government- *Amy Roering via Tim Pratt (Association of Recycling Managers) city of Roseville*
8. AMC supports the legislative Solid Waste Task Force recommendations on electronic waste management that incorporate the following:
 - a. Shared responsibilities among manufacturers, retailers and generators
 - b. Reliable and convenient recycling options;
 - c. Responsible recycling of Cathode Ray Tubes;
 - d. A mechanism to address the backlog of CRTs;

- e. A preference for cost internalization or advance recycling fees over end of life fees without relying on local government; and
- f. Statewide implementation.

NON-MUNICIPAL SOLID WASTES

1. Rule language revision on the definition of industrial solid waste and construction and demolition debris
2. More clearly define areas of potential support for the beneficial use rule- *Erik Silvola Great River Energy*
3. Address the recent MPCA Beneficial Use rule. This Report needs to highlight this new procedure where industrial waste can be recycled or reused, thus diverting this waste stream from either an industrial landfill or sanitary landfill.
4. The CD&I Report that is due this July will also address industrial waste. Issues/recommendations may be carried from that report into this report. - *Doug Morris Crow Wing County*
5. Revise C & D waste rules or implement a “pilot” program first to place responsibility on the waste generator (contractor, homeowner, etc.) to separate out those materials that are either hazardous and/or recyclable from the C & D waste stream- *Henry Fisher MPCA*
6. Revise C & D waste rules or implement a “pilot” program first to place responsibility on the waste generator (contractor, homeowner, etc.) to separate out those materials that are either hazardous and/or recyclable from the C & D waste stream. Work with county and municipal building permit departments to implement the program. Provide local governments the funding necessary to implement and enforce program. The outcomes envisioned would be a less toxic waste stream, greater resources captured for recycling and a closer working relationship with local officials.