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Recommendations to

Rudy Perpich

*Governor
State of Minnesota*

by

The Governor's
Select Committee
on Recycling and
the Environment
(*SCORE*)

November, 1988





STATE OF MINNESOTA
State Planning Agency
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November 22, 1988

Governor Rudy Perpich
Room 130
State Capitol
St. Paul, Minnesota, 55155

Dear Governor Perpich:

It is my pleasure to present you with the final recommendations of your Select Committee on Recycling and the Environment (SCORE).

The people you selected to serve on SCORE represent large constituencies with diverse opinions on how best to address our solid waste management problems. The members have done an exceptional job in working together in a constructive, cooperative spirit. Significant contributions of time and expertise on the part of each member, as well as our team of Resource Advisors, has resulted in a set of thoughtful recommendations which address the issues of waste and litter reduction and recycling enhancement in a responsible, comprehensive manner. The members particularly asked me to convey their appreciation to you for the opportunity to become involved at an early stage in the process.

The SCORE members have agreed to work with their constituencies to communicate the intent of these recommendations, and to support the recommendations during the 1989 Legislative session.

As you know, the challenge before us is to face up to the seriousness of our solid waste management crisis. Minnesota is considered a national leader in environmental protection. We believe that these recommendations, and the enactment of these programs, would make Minnesota a leader in solid waste management as well.

We must recognize that policy changes and resource reallocation are essential to changing the way all Minnesotans fundamentally think about their waste. That change will come through leadership, education, and thoughtful state and local funding. New

policies and priorities can and will effect change in behavior from disposal to recycling, reduction and reuse.

Unfortunately, we must recognize that Minnesota has not yet come close to its potential in the areas of waste reduction and recycling. Additionally, the fact that Minnesotans continue to litter and dump illegally, points to the urgent need for progress towards a more informed public with respect to waste disposal and management.

These recommendations emphasize the need for the State to provide the leadership in educating our citizens on the true costs of their disposal practices and in setting an example through recycling, waste reduction and procurement.

To stress the importance of these goals, the members of SCORE have recommended a series of state and local initiatives, beginning with the establishment of a statewide goal that every county recycle 25% of all mixed municipal solid waste by 1993.

Responsibility and authority for meeting that goal should continue to rest with the local governments, as they are best equipped to identify the opportunities and obstacles in meeting the goal. While local flexibility is important, SCORE recognizes that a key to changing the waste practices of Minnesotans is to ensure that they feel the increasing true costs of disposal/management of wastes, and to see the financial opportunity that recycling and waste reduction offers.

The members of SCORE believe that this set of recommendations would move Minnesota closer to the true goal of environmentally sound waste management, by calling on all sectors of the public and private citizenry of this state to participate in the solutions.

We look forward to your review of these recommendations, and thank you again for the opportunity to participate in this very important endeavor.

Sincerely,

Robert Dunn

CHAIR, Governor's Select
Committee on Recycling and
the Environment

MEMBERS

Governor's Select Committee on Recycling and the Environment

Chair

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Citizen Member, Minnesota Environmental Quality Board

Gary Botzek

President, Minnesota Industry/Labor Recycling Coalition

Bernard Brommer

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Marilynn Corcoran

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Chair, House Environment and Natural Resources Committee

Robert Orth

Executive Director, Metropolitan Inter-County Association

Tom Troskey

Manager of Paper Stock, Waldorf, Inc.

Gerald Willet

Commissioner, Minnesota Pollution Control Agency

CHARGE

Governor's Select Committee on Recycling and the Environment

The Committee shall prepare recommendations to Governor Perpich by November of 1988 in anticipation of a legislative initiative for the 1989 Legislative session. The recommendations shall include a comprehensive set of solutions to the problems of solid waste, litter reduction and recycling enhancement. The goals of the proposal shall include the following:

- Environmental Protection
- Resource Conservation
- Litter Reduction

THROUGH: minimization of undesirable land use conflicts, fiscal prudence, reliable program funding, opportunities to reduce and recycle, and flexibility for local implementation.

[This Charge was delivered to the members in August of 1988.]

Participating Agencies

Minnesota State Planning Agency
Metropolitan Council of the Twin Cities Area
Minnesota Department of Revenue
Minnesota Pollution Control Agency
Minnesota Waste Management Board

For Further Information

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PLEASE NOTE: Recommendations are not listed in any kind of rank order and refer to both residential and non-residential (commercial, industrial, institutional) sectors, unless otherwise noted. All references to solid waste are intended to mean "mixed municipal solid waste".

The Governor's Select Committee on Recycling and the Environment (SCORE) Recommends the Following:

Waste Reduction

1. That the responsible agency develop and coordinate waste reduction programs which shall include, but are not limited to:
 - a. Education
 - b. Technical assistance (*e.g., assistance with waste reduction surveys, and assistance with waste exchange programs*)
 - c. Publications
 - d. Grant/loan programs
 - e. Award programs
 - f. Encourage waste reduction through procurement
2. That the State should research and establish an expanded life cycle costing system for procurement of durable and repairable items. Such a system should then be promoted as a model for other public and private procurement systems.

Recycling

1. That the basic responsibilities for implementing solid waste plans should remain with the counties, as in current law.
2. That guidance for statewide policies and guidelines for recycling programs should be set by the Legislature.

[NOTE: For the purposes of these recommendations, a "goal" is a target to be achieved, which is not enforced; and a "standard" is a measurable amount/level to be achieved, which is enforced.]

3. That there be established a statewide, minimum, uniform recycling goal, based on a percentage of the mixed municipal solid waste stream. It is also recommended that the goal be addressed with local design and local implementation and adequate funding for the necessary programs.
4. That the recycling goal should be, by 1993, 25% of the total annual generation of mixed municipal solid waste*, which has to be achieved on a

* [The Legislature should reconsider the definition of mixed municipal solid waste for the purposes of this measurement (e.g., consideration of yard wastes and recyclables)].

county-by-county basis. The Legislature should review the counties' performance. The Legislative Commission on Waste Management (LCWM) should monitor progress of the state's counties toward achieving this goal with lesser benchmarks established for the years prior to 1993. In the event that some or all of the counties are unable to meet the goal, the LCWM should consider the reasons for the county's inability to meet the goal and should further consider whether to establish mandatory standards which empower the responsible agencies to impose solid waste management techniques (which are negotiated with the local planning authority) in counties not meeting goals/standards. These could include, but are not limited to:

- a. organized collection
 - b. minimum recycling opportunities
 - c. curbside collection of source-separated materials
 - d. volume-based pricing
 - e. curbside collection of source separated recyclable materials on the same day as organized collection of other wastes
5. That the Legislature should require any county that fails to meet legislatively mandated goals in any calendar year to meet a minimum standard of recycling opportunities in the following year.
 6. That counties with existing, approved waste management plans should be required to update the recycling portion of those plans to address the new goal within nine months of the enactment of the goal in legislation.
 7. That the responsible agency should require the development of local recycling implementation plans in all Greater Minnesota counties. (The Metropolitan counties are already required to have recycling implementation plans.)
 8. That the Legislature should specifically enable the counties to mandate variable fees (*e.g., volume-based pricing, rebates for recycling households*) for generators of solid waste.
 9. That counties should be required to include provisions in their solid waste plans that produce financial incentives to generators to reduce and recycle.
 10. That municipalities that pay for waste collection and disposal services must make the cost visible to the generator.
 11. That regional, statewide, four season waste composition studies should be performed. The studies should incorporate all existing waste composition information previously gathered, and present a comprehensive analysis of the solid waste stream in Minnesota (to provide information on recyclables, non-combustibles, generation, and other solid waste characteristics.)

12. That the State should take specific actions to help public and private recyclers, including, but not limited to:
 - a. The responsible agencies should develop a recycling facility safety guide.
 - b. Standardized highway road signs for recycling centers should be developed by the Minnesota Department of Transportation. All road authorities should allow recycling center signs on roads in their jurisdiction.
 - c. The Minnesota Department of Commerce should work in conjunction with the Workers Compensation Association to study the insurance classifications in which recycling programs/facilities fall.
 - d. The responsible agency should develop model zoning criteria for recycling facilities.
 - e. The State should, where possible, use incentives and education programs to aid recycling. The State should encourage all counties to direct their program resources in a way that assists recycling.

Markets

1. That the responsible agency provide statewide recycling market research grants for applied market research. Grants will be allocated to new, innovative research endeavors, considering existing market research to prevent duplicative efforts.
2. That the Minnesota Department of Trade and Economic Development and the Greater Minnesota Corporation be directed to target existing economic development programs toward assistance to recyclers and the development of potential markets.
3. That the responsible agency expand technical assistance programs to enhance market development.
4. That the responsible agency establish capital financing grants or loans to be made available to the private sector (in consultation with a public-private sector advisory panel), for use in developing recycling facilities (*e.g., recycling centers, detinning mills, regional intermediate processing facilities.*)
5. That the State develop a program to design a comprehensive strategy for enhancing the recycling transportation system.
6. That the State and local governments should aggressively pursue procurement practices which enhance recycling and waste reduction in all public buildings.
7. That the SCORE members endorse the Governor's Executive Order (88-11) which requires convenient recycled materials collection systems in all state

buildings, as well as that all agencies procure recycled materials whenever practical.

8. That it is the obligation of the State to be a model for other public and private purchasers/generators in developing effective and innovative programs which stimulate recycling markets on a statewide basis by increasing procurement of recycled products, including, but not limited to the following:
 - a. Additional resources should be allocated to the Department of Administration to implement their responsibilities regarding increased procurement of recycled products, as mandated in the Waste Management Act.
 - b. The Department of Administration should be charged with developing a "cooperative purchasing" program (including other states and local governments) for recycled materials.
 - c. An outside evaluation should be performed to establish how state contractual and purchasing practices relating to the purchase and use of recycled materials and state waste reduction efforts, can best fulfill the statutory obligation to do so. The Department of Administration should develop a plan and implementation strategy based on the study, for review by the Legislative Commission on Waste Management.
 - d. The Departments of Administration and Public Safety should review the needs for recycling systems in public buildings and address the barriers that may be created by building, safety and fire codes. Remedies (*e.g., model ordinances, codes and law changes*) to those problems should be presented to the Legislative Commission on Waste Management by November of 1991.
9. That the responsible agency develop a system which will encourage and provide for effective private sector input on market development issues.

Education

1. That the State has the responsibility to educate Minnesotans about waste issues and to provide overall guidelines and assistance to local implementors on education for waste reduction and litter prevention, recycling and problem materials management.
2. That the State should coordinate educational efforts through an appropriate agency, and sufficiently fund appropriate educational programs such as the following:
 - a. Additional resources to the Waste Education Coalition to initiate a statewide public relations campaign which local governmental units can adapt to their local program needs.

- b. That the responsible agency should expand the membership of the Waste Education Coalition to include representatives with expertise in solid waste management issues (*e.g., recycling industry, League of Women Voters, etc.*)
 - c. Grants to help local governmental units develop targeted community education/public relations programs.
 - d. Grants to help local entities (*e.g., governmental units, private sector, 4-H, Minnesota Extension Service, and the Minnesota Environmental Education Board*) to distribute solid waste education information.
 - e. Grants and recognition awards for schools to develop "living examples" of waste reduction, recycling and litter programs.
 - f. Additional resources to the Waste Education Coalition to develop a curriculum to address recycling, waste reduction, litter, and problem materials, for Minnesota schools.
 - g. Funding for a "model school" program to show other schools how to best incorporate waste reduction, recycling and litter reduction.
3. That "waste education" be a specific element in the existing environmental education mandate for K - 6 school curricula; and that the mandate be extended to cover grades 7 - 12.

Problem Materials

- 1. That all counties be required to design and implement a household hazardous waste management program as a part of their solid waste plan.
- 2. That permanent household hazardous waste programs be established in the Twin Cities metropolitan area and selected areas of Greater Minnesota. The programs should include both a waste reduction education program and a collection element.
- 3. That the responsible agency require a management plan and removal system for household hazardous wastes from all solid waste facilities, as a part of permitting those facilities.
- 4. That the responsible agency receive sufficient, ongoing funding for programs relating to household hazardous waste management.
- 5. That the Legislature should address the management of household batteries.
- 6. That the Legislature should enact a two-phase pesticide container program:
 - a. Upon enactment, impose financial disincentives (*e.g., sales tax*) on all non-returnable/non-refillable bulk pesticide containers;

- b. By 1992, ban the sale of bulk pesticides which are not in returnable containers.
7. That the responsible agencies review the conclusions of the Department of Agriculture study on pesticide containers and propose effective pilot programs to address the issues raised in that report.
 8. That the responsible agency develop a program to address waste paint reduction (*e.g., on-site commercial waste paint reduction program*), recycling disposal and management (*e.g., waste paint exchange.*)
 9. That the responsible agency(ies) address the issue of management of discarded PCB capacitors (including the liability and disposal problems.) This should be done in conjunction with federal programs relating to this matter.
 10. That all retailers of lead acid batteries impose a \$5.00 surcharge on all new lead acid batteries sold. If the consumer returns a used lead acid battery at the time of purchase, the \$5.00 surcharge will not be imposed.
 11. That all white goods (*e.g., stoves, refrigerators, air conditioners, etc.*) should be removed from the mixed municipal solid waste stream for the purposes of removing hazardous materials and to allow for recycling in a proper manner.
 12. That the State of Minnesota urge Congress and the federal government agencies to address problems with packaging in the solid waste stream on a national level.
 13. That the responsible agency should develop a program to address the management of filters that collect pollutants.
 14. That the Legislature should address the problems relating to non-recyclable plastics (*e.g., multi-composite containers.*)
 15. That the responsible agency develop and provide a uniform label which will indicate items which cause problems in the solid waste stream. These labels should be placed on the shelves of retail stores below the items that are categorized as causing such problems. Those products will be identified by the responsible agency.
 16. That the State has an obligation to provide a system for the proper management of all hazardous waste.

Litter

1. That the Governor should encourage each judicial district in Minnesota to establish a consistent penalty for littering (such as community service by litter pick-up.)
2. That fines for illegal dumping should be set at least two times the cost of legal disposal of the materials.
3. That state agency programs relating to litter prevention and abatement be coordinated in an effective manner including a study which evaluates the current status of litter problems in the state. Sufficient resources should be allocated to these programs.
4. That Minnesota develop an aggressive, permanent, statewide community-based organization for litter prevention and abatement activities.

Funding

State Financing for Local Programs

- ✓ 1. That the State has a role in providing funding for local waste and litter reduction and recycling programs.
- ✓ 2. That the State require that local governmental units impose certain minimum local funding efforts as a source of revenue for solid waste management programs, as a condition of receiving state grants or loans. The minimum level of funding effort should include mechanisms which internalize the costs to the problem (*e.g., mixed MSW facility surcharges, user fees, solid waste service area charges*) or are related to the problem (*e.g., certain types of revenue bonds or special assessments.*)
3. That State funding for waste and litter reduction and recycling, be distributed in two ways:
 - a. Direct pass-through (base rate plus per capita formula) to counties which have approved solid waste plans with recycling implementation plans. (This condition should not apply in the first year of funding.)
 - b. Grants and loans would require a certain level of local match. The state share of grants/loan funding would vary depending on the local efforts to encourage recycling, waste and litter reduction and environmental protection through waste management. Those efforts may include, but are not limited to the following:
 - Education
 - Recycling processing incentives (*e.g., multi-county projects*)

- Recycling collection incentives (*e.g., ordinances, household bins*)
 - Evidence that private sector entrepreneurs were allowed to bid on all projects to accomplish county goals
 - Voluntary household hazardous waste collection sites
 - Incentive programs for communities which surpass goals
 - Other appropriate efforts
4. That the Legislature permanently lift local levy limits for revenue generated at the local level to fund waste and litter reduction and recycling programs.

State Funding Sources

- ✓ 1. That funding should be related to the solid waste management and litter problem, and that the dollars generated by such a funding mechanism should be used to address those issues.
- ✓ 2. That, when possible, the cost of disposal/management should be reflected in the purchase price of products, particularly those items which cause problems in the waste stream due to toxicity, difficulty in the recycling process, and difficulty in the disposal process.

The following is recommended as a specific revenue-raising mechanism, set at the level of the current state sales tax:

3. That a "Waste Abatement Tax" be applied to all solid waste hauling/pick-up services in Minnesota. This revenue would be used to fund recycling, waste and litter reduction programs and to provide an incentive to generators to reduce and recycle.

The following is recommended as a supplementary funding source having an extra educational impact for problem products:

4. That a surtax be applied at the retail level to a few specific products (such as, non-latex paints and allied products; nickel-cadmium (Ni-Cad) batteries; rechargeable appliances/tools containing Ni-Cad batteries; and motor oil) which cause a problem in the disposal/waste stream. The purpose of this surtax should be revenue generation to fund the management of problem materials and for recycling, litter and waste reduction programs, as well as to increase consumer awareness of products that require special management for disposal. The responsible agency would provide guidance to the legislators on the specific problem products to be subject to the surtax.