

April 11, 2024

RE: SF 3561 - Packaging Waste and Cost Reduction Act

Dear Chair Hawj and Environment, Climate and Legacy Committee Members:

We appreciate that the Minnesota Senate and House of Representatives are working to tackle our solid waste problem, make recycling more accessible and get taxpayer relief for recycling costs by introducing the Packaging Waste and Cost Reduction Act (HF3577/SF3561). This bill could also help Minnesota reach its waste reduction and recycling goals. However, we are concerned that recent amendments in the Senate version may make it difficult to bring about the changes needed to accomplish those goals. While we continue to support many of the features of the bill, we do have significant concerns with the following:

- A recent amendment to the Senate version removes the binding reduction, reuse, and recycling rates and dates. This is problematic because robust rates and dates are what drive system performance and will create a program that helps Minnesota meet its goals.
- A recent amendment to the Senate version gives producers until 2040 to make packaging changes based on broad “market or technical issues”, which is a loophole that will prevent progress on our plastic packaging and waste crisis for another 16 years.
- A recent amendment to the Senate version has removed commercial waste, which is problematic because commercial waste makes up such a large proportion of the municipal solid waste stream.
- A recent amendment to the Senate version would allow for producer fees to cover costs for covered material not on the “Recyclable and Compostable” list that are “otherwise diverted from disposal”. This is problematic because it could be read as covering the cost of using it for fuel or energy.
- Allowing for materials to be sold into the state if they are covered by an “alternative collection system” will allow for materials that are not actually recyclable to remain in circulation.
- The definition of “recycling” may not prevent chemical recycling from being used to meet recycling targets.

The House version of the Packaging is not as comprehensive as we had initially hoped but we still feel it would be beneficial overall and support it. However, the amended Senate version is concerning, and we hope that it can be updated to address our concerns so that we can continue to support this comprehensive packaging reduction bill.

Sincerely,  
Lori Olinger  
Coalition for Plastic Reduction