

METROPOLITAN COUNCIL
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DATE: July 1, 1993
TO: Waste Management Advisory Committee
FROM: Solid Waste Division (Darrell Washington, 291-6403)
SUBJECT: County Solid Waste Certification Reports - January through December 31, 1992

INTRODUCTION

The 1980 Waste Management Act established a prohibition on the landfilling of unprocessed waste in the Metropolitan Area after 1990. Subsequent amendments limited disposal of unprocessed waste to material certified by metropolitan counties or resource recovery facilities as unprocessable. This document evaluates the 1992 waste certification reports.

The Council must approve or disapprove the county's waste certification reports. Approval of a county certification report must reflect a Council determination that the amount of landfilled unprocessed waste will be sufficiently reduced in the near future. Disapproval of a county report means that the Council is not satisfied with landfill abatement efforts. The Council may require specific implementation measures by a county if it disapproves two consecutive certification reports.

AUTHORITY FOR REVIEW

Each Metropolitan Area county is required by Minn. Stat. 473.848 to submit an annual certification report to the Council in a form specified by the Council. The county reports must detail:

1. The quantity of unprocessed waste that was landfilled;
2. The reasons the waste was not processed;
3. A strategy for development of techniques to ensure processing of waste including a specific timeline for implementation of those techniques; and
4. Any progress made by the county in reducing the amount of unprocessed waste.

The statute states: "The Council shall approve a county's report if it determines that the county is reducing and will continue to reduce the amount of unprocessed waste, based on the report and the county's progress in development and implementation of techniques to reduce the amount of unprocessed waste. If the Council does not approve a county's report, it shall negotiate with the county to develop and implement specific techniques to reduce unprocessed waste. If the Council does not approve two or more consecutive reports from any county, the Council shall develop specific reduction techniques that are designed for the particular needs of the county. The county shall implement those techniques by specific dates to be determined by the Council." The Council may also "adopt standards for determining when waste is unprocessable and procedures for expediting certification and reporting of unprocessed waste."

CERTIFICATION REVIEW

The Council has established the following criteria to evaluate the efforts of the counties to abate the disposal of wastes from landfills:

1. The quantity of waste disposed in landfills compared to the quantity of waste disposed in the corresponding previous reporting periods.
2. Demonstrated efforts by the county to seek alternate processing capacity for waste that would otherwise be landfilled.
3. Commitment of the county to reduce the quantity of waste landfilled as demonstrated in county approved implementation plans to manage, by other methods, the wastes landfilled.
4. Demonstrated commitment of the counties to achieve the Council's landfill use limits as noted in the Solid Waste Policy Plan.

The criteria focus on whether the county's progress and commitment are sufficient to demonstrate that landfill abatement goals will be achieved. The Council is required to consider both the county reports and other pertinent data in evaluating the county's progress in developing and implementing techniques to reduce the disposal of unprocessed waste.

The Council review criteria also address overall landfill abatement. The legislative statutory review authority, however, extends only to whether waste is processed by at least a single operation to recover reusable resources. Consequently, the initiation of secondary processing, such as the scheduled composting of residuals from the refuse derived fuel process, cannot currently be a basis for evaluating the county reports.

SUMMARY OF THE CERTIFICATION REPORTS

County summary results for 1992 are listed below:

Anoka County

1. The quantity of waste generated in the county that was not processed prior to transfer to a disposal facility.

Anoka County reported that approximately 230,456 tons of MSW were generated and managed in the county during 1992. Anoka County estimated that no unprocessed MSW was managed at land disposal facilities in and near the Metropolitan Area.

Although Anoka County indicates that no unprocessed waste was landfilled, it does not estimate the amount of waste, including MSW, that is managed and disposed of outside of their solid waste management system. This waste includes MSW and non-MSW materials that do not proceed directly to the county's designated facilities. This other waste may be processible at NSP's Elk River-RDF facility where a majority of Anoka's MSW is currently managed.

2. The reason(s) why the waste was not processed.

Anoka County indicates that currently the amount of bulky MSW, such as mattresses and large rolls of paper, which ends up as rejects from the Elk River Facility is being reduced. The RDF facility has recently installed shredders which have reduced the amount of unprocessable MSW from 7.5% to 2.5% of MSW delivered. Non-MSW is still being disposed of in regional and greater Minnesota landfills. This waste is not being processed because of the incapability of the Elk River-RDF facility to handle this

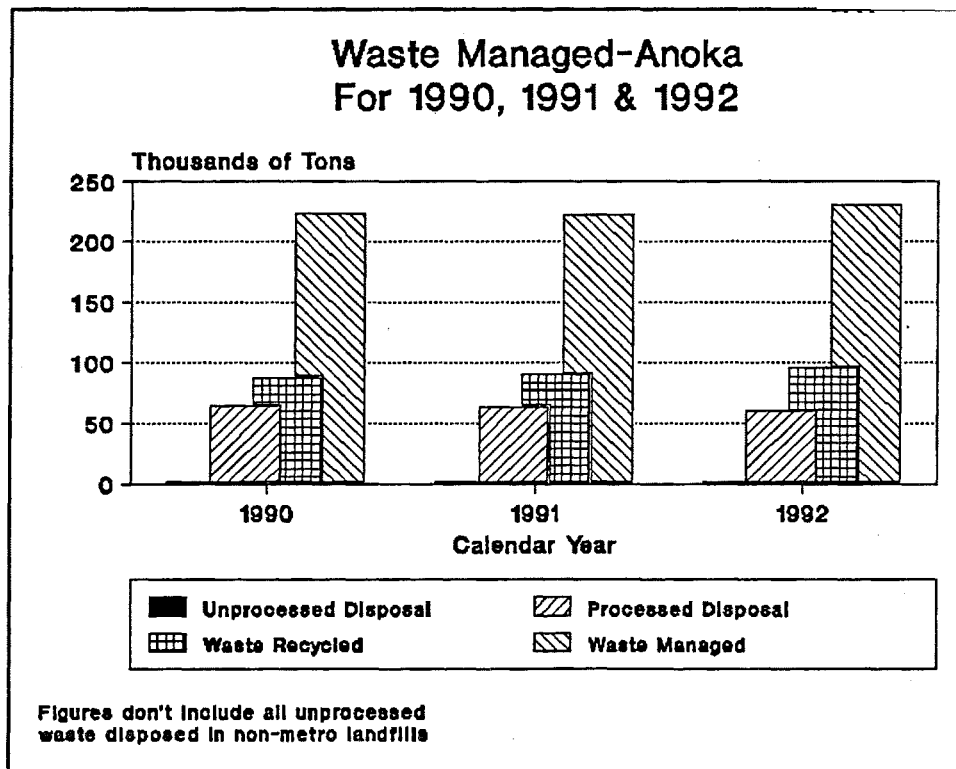
waste and statutes which permit separately managed waste streams to be exempted from designation to a county waste processing facility.

3. The strategy and timetable for the development of techniques to ensure processing of waste.

Anoka indicated that it has amended a contract with Hennepin County to send NSP-Elk River's unprocessable MSW to the HERC facility. Anoka also reported on its waste exchange contract with East Central Solid Waste Commission and discussions with Wright County about composting the residue fraction from the NSP-Elk River facility. Anoka County is still exchanging its residual waste streams from the facility with Burger King Corporation and Recomp of Minnesota. The agreement fosters waste management by the most appropriate technology by trading compostable material from operations in Anoka County for MSW not suitable for composting collected by Recomp.

4. Progress in reducing the amount of unprocessed waste.

Anoka County reported progress in reducing unprocessed MSW disposal. No information was provided on disposal patterns of waste other than MSW.



Carver County

1. The quantity of waste generated in the county that was not processed prior to transfer to a disposal facility.

Carver County reported that 43,000 tons of MSW were generated in the county during 1992. Based on the amount of MSW generation, Council staff estimates that 23,421 tons of unprocessed MSW were managed at land disposal facilities.

2. The reason(s) why the waste was not processed.

Carver County reported the waste was not processed due to the lack of a resource recovery facility that is designated to receive Carver County waste.

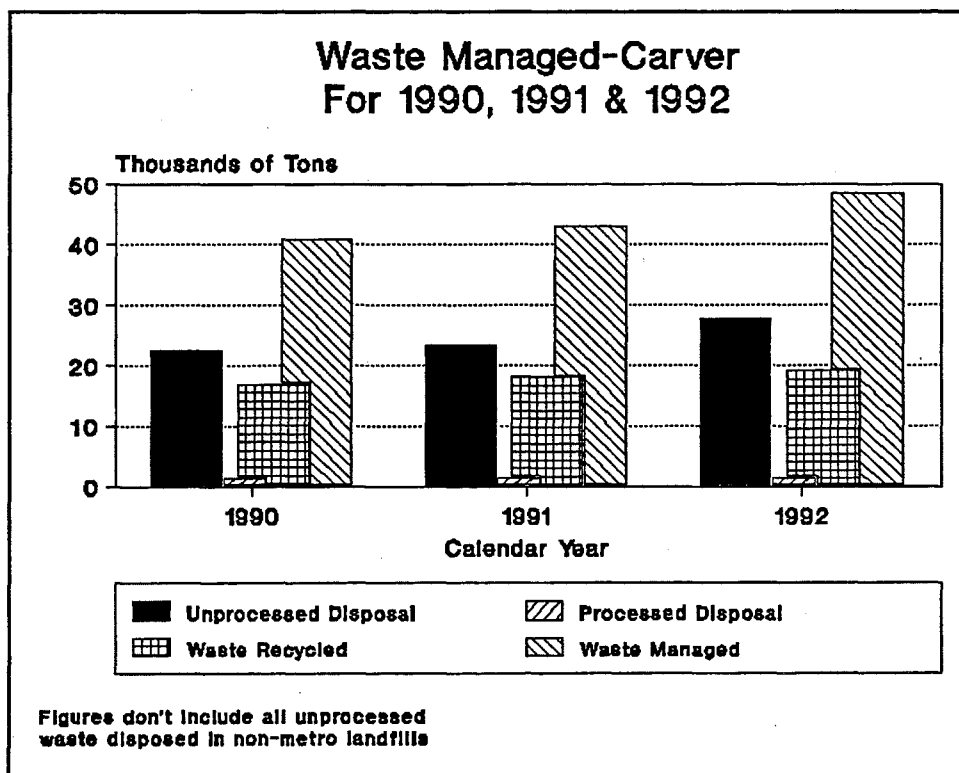
3. The strategy and timetable for the development of techniques to ensure processing of waste.

Carver County reported last year that they were cooperatively planning with Scott County to develop a resource recovery facility that will compost MSW. A draft permit application was submitted to MPCA. MPCA determined the Carver County application was not complete. In March, the County's financial consultant informed them that the recent court rulings on waste designation had negatively impacted the ability to issue bonds for a publicly-supported facility. As a result of these court decisions, the public facility concept was dropped and the Counties requested the vendor to provide a proposal for a privately-owned and operated facility. In addition, Carver County also requested proposals from Hennepin, Anoka, Ramsey and Washington County for use of available MSW processing capacity at resource recovery facilities.

Carver County, during the later part of 1992, issued a Request for Proposal (RFP) for the development of a MSW transfer station. The county is planning to enter into a contract by the fall of this year with a private company to build, own, and operate a transfer station which will deliver waste to existing and possibly future MSW processing facilities. Carver County expects that the siting and permitting process will begin in early 1994 with operations beginning in July of that year.

4. Progress in reducing the amount of unprocessed waste.

The estimated volume of unprocessed waste that was landfilled in 1992 increased slightly. No information was provided on disposal patterns of waste other than MSW.



Dakota County

1. The quantity of waste generated in the county that was not processed prior to transfer to a disposal facility.

Dakota County estimated it managed 282,728 tons of MSW in 1992. The County estimates that 159,756 tons of unprocessed MSW were disposed of at various landfills in and near the metropolitan region.

2. The reason(s) why the waste was not processed.

Dakota County reported the waste was not processed due to the lack of a resource recovery facility that is designated to receive Dakota County waste.

3. The strategy and timetable for the development of techniques to ensure processing of waste.

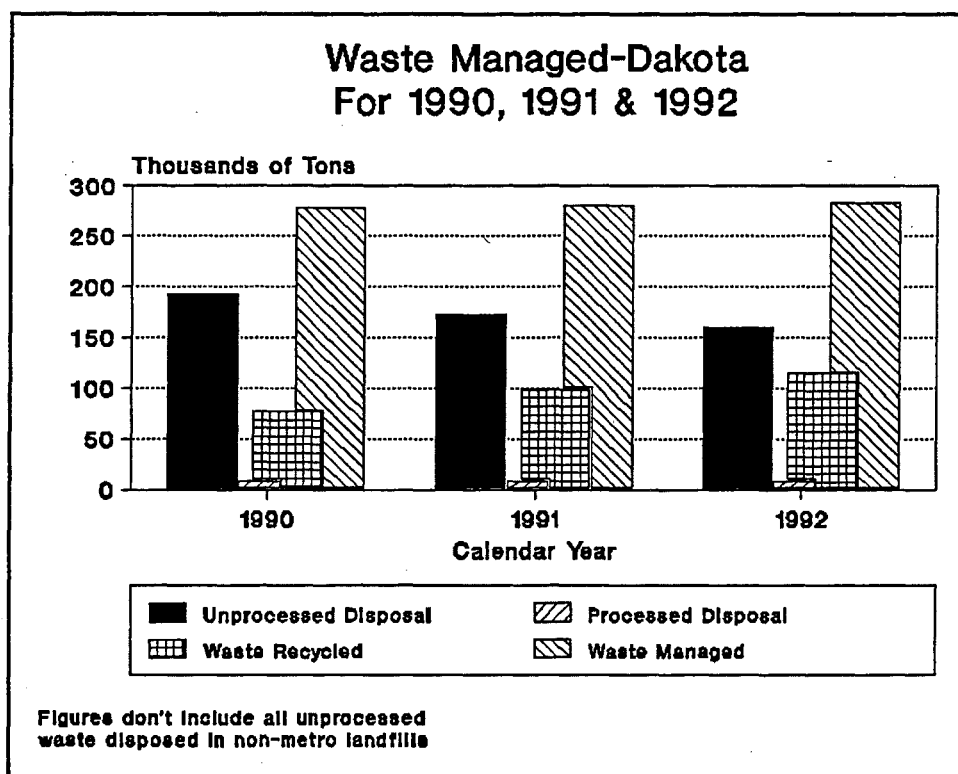
Dakota County has received a favorable, unanimous decision from the Court of Appeals, instructing the MPCA to issue a permit for the County's planned Resource Recovery Facility. In September, 1992, the County asked the MPCA to issue the permit. Dakota County has received a permit from MPCA for a 600 tpd waste-to-energy facility.

Construction of this facility is currently on hold, while the County Board conducts a re-evaluation of waste management strategies, working toward a decision to move forward with the permitted project or implement other methods of waste management.

As a part of the re-evaluation being conducted by the County Board, an assessment of potential available facility capacity within the Metropolitan Area waste management system is being completed. The possibility of sharing facility capacity and sharing waste will be determined by this analysis. To date, the analysis has not uncovered any available facility capacity within the Metro system, without additional capital investment to provide additional burn and processing capacity. Dakota County will continue to assess this system as development and/or expansion occurs.

4. Progress in reducing the amount of unprocessed waste.

The estimated volume of unprocessed waste decreased due to an increase in the amount of MSW reported as being recycled. No information was provided on disposal patterns of waste other than MSW.



Hennepin County

1. The quantity of waste generated in the county that was not processed prior to transfer to a disposal facility.

Hennepin County estimated that approximately 1,382,775 tons of MSW were managed. Hennepin Co. reports that of the 1,382,775 tons of MSW that enters their solid waste system, 16,067 tons of unprocessed MSW was disposed of in landfills.

The county does not estimate or include the amount of waste, including MSW and non-MSW, that is managed and disposed of outside of their solid waste management system. This other waste may be processible at a facility where Hennepin's MSW is currently managed.

2. The reason(s) why the waste was not processed.

Hennepin Co. states there was no available capacity at any resource recovery facility within the region to process this waste. Hennepin also indicates that most of the landfilling that has occurred is a result of construction activity at the HERC, and the subsequent diversion of that waste from the NSP-Elk River facility pursuant to their contract.

3. The strategy and timetable for the development of techniques to ensure processing of waste.

Hennepin Co. states that it is seeking additional waste sharing agreements and refining its annual Waste Management Plan to minimize the amount of unprocessed waste landfilled. Hennepin reports that the county is presently developing agreements with Wright County, East Central, and Prairieland composting facilities such that organic-rich loads of unprocessed waste may be directed to those facilities when feasible.

Hennepin County states that they are involve in the following agreements:

1. Existing Agreements

a. NSP-Newport

The County presently can direct waste to the NSP-Newport facility on a spot market basis. A two-way agreement which will allow NSP and/or Ramsey and Washington to direct waste to Hennepin's system is being considered.

b. EPR, Inc.

A two-way waste sharing agreement exists which allows Hennepin to direct MSW to the EPR, Inc., facility and allows EPR to direct its oversize and residue streams to HERC.

c. Anoka County's portion of NSP-Elk River Facility

Hennepin and Anoka Counties have a two-way agreement which allows Hennepin to direct waste to the NSP-Elk River facility as Anoka Waste and allows Anoka to direct waste to the Hennepin County system. In 1992, 3,359 tons of Hennepin County waste were delivered to the NSP-Elk River facility as Anoka waste under this agreement.

2. Agreements being developed

a. Scott County

Scott, Anoka and Hennepin Counties have been investigating opportunities for sharing Hennepin's and Anoka's waste processing capacity with Scott County. Preliminary discussions are underway and action on such an agreement is expected to occur by the second quarter of 1993.

b. Prairieland Compost

Hennepin and Prairieland staffs have discussed the potential mutual benefits of exchanging

organic-rich streams from Hennepin County for plastic/paper residue streams from Wright County. A draft agreement is being discussed at this time.

c. East Central Compost

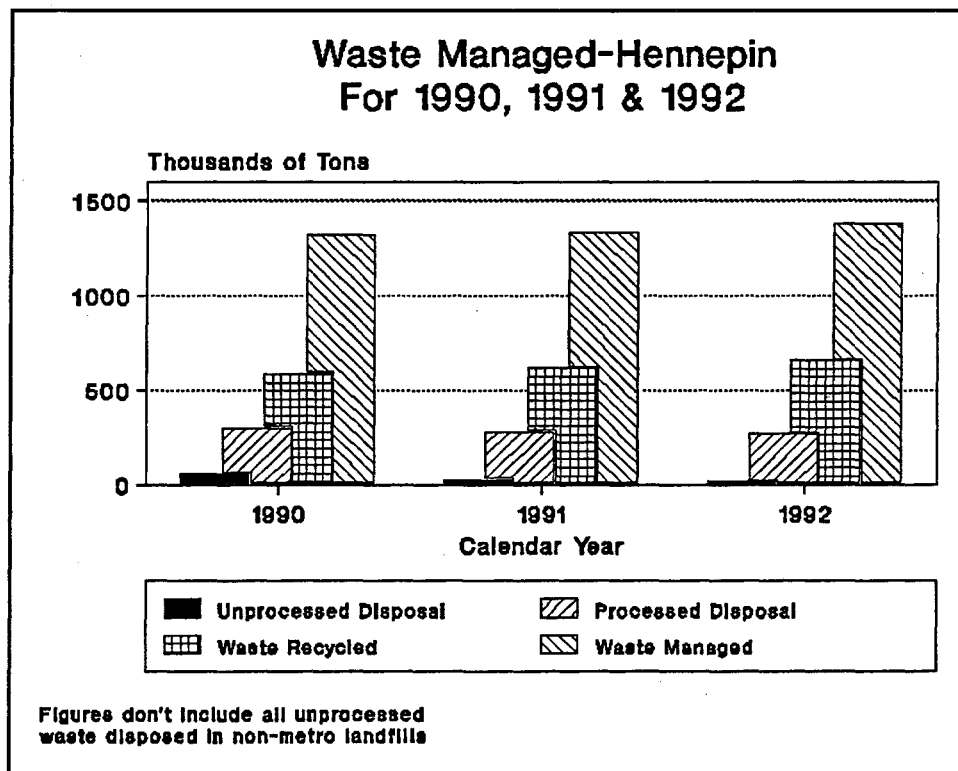
Hennepin and East Central staffs have discussed the potential mutual benefits of exchanging organic-rich streams from Hennepin County for plastic/paper residue streams from the Counties in the East Central group. A draft agreement is being discussed at this time.

d. Wright County

Hennepin and Wright County staffs have discussed the potential mutual benefits of exchanging organic-rich streams from Hennepin County for plastic/paper residue streams from the Wright County composting facility.

4. Progress in reducing the amount of unprocessed waste.

The estimated volume of unprocessed waste that existed in Hennepin's waste management system decreased during the period when compared to 1991. No information was provided on disposal patterns of waste other than MSW.



Ramsey & Washington County

1. The quantity of waste generated in the counties that was not processed prior to transfer to a disposal facility.

Ramsey and Washington County estimated that in 1992 approximately 716,501 tons of MSW were managed. Of that managed MSW figure, 58,604 tons of unprocessed MSW was disposed of in landfills during this period.

The counties did not estimate or include the amount of waste, including MSW, that is managed and

disposed of outside of their solid waste management system. This waste includes MSW and non-MSW materials that do not proceed directly to the counties designated facilities. This MSW and non-MSW may be processible at a facility where Ramsey and Washington Counties' wastes are currently managed.

2. The reason(s) why the waste was not processed.

Unprocessed waste is defined by NSP's Service Agreement with Ramsey & Washington Co. as waste that does not proceed directly through the processing lines at the Ramsey/Washington County Resource Recovery Facility, but is transferred to another waste facility. Unprocessed waste includes both Processible Waste and Non-Processible Waste, as defined in the Service Agreement between Ramsey and Washington Counties and NSP, as amended. The counties state in their reports that there was no available resource recovery facility capacity to process this waste.

3. The strategy and timetable for the development of techniques to ensure processing of waste.

Ramsey & Washington Counties state in their certification reports that;

"Installation of new equipment and establishment of incentives for NSP have resulted in reduced quantities of excess waste. New shredding and related equipment was installed which has increased the processing capacity on the processing lines at the facility. Through amendments to the Service Agreement between Ramsey and Washington Counties, an incentive fee concept was initiated in 1989 for a two-year period, and extended in July 1990 for the term of the Service Agreement; there is an incentive fee for NSP to process additional waste over the amounts specified in the original Service Agreement approved in 1986.

The Ramsey/Washington County Resource Recovery Facility is owned and operated by NSP. Pursuant to the Service Agreement, dated October 1986, and approved by the Metropolitan Council, NSP is free to receive waste from other counties, provided that receipt of such other waste does not impair NSP's contractual commitments to Ramsey and Washington Counties. This provision was included to allow NSP the ability to compete in the waste management industry to obtain waste and to maximize use of the Facility. This provision encourages waste sharing by allowing NSP to negotiate for unprocessed or excess waste with other counties, and use the Facility to its greatest extent.

The Service Agreement between NSP and the Counties has successfully privatized resource recovery in the two counties. Because of this relationship, NSP is responsible for the excess and non-processible waste. This means that it is NSP which controls where unprocessed waste flows. The requirements in Minn. Stat. 473.848, as amended in 1991, now require NSP to certify to the Counties that processing capacity is not available if waste is landfilled. It is NSP's responsibility, therefore, to seek that capacity.

It is important to note that Ramsey and Washington Counties have also been working with NSP to ensure that excess waste, including non-processible waste, is managed appropriately.

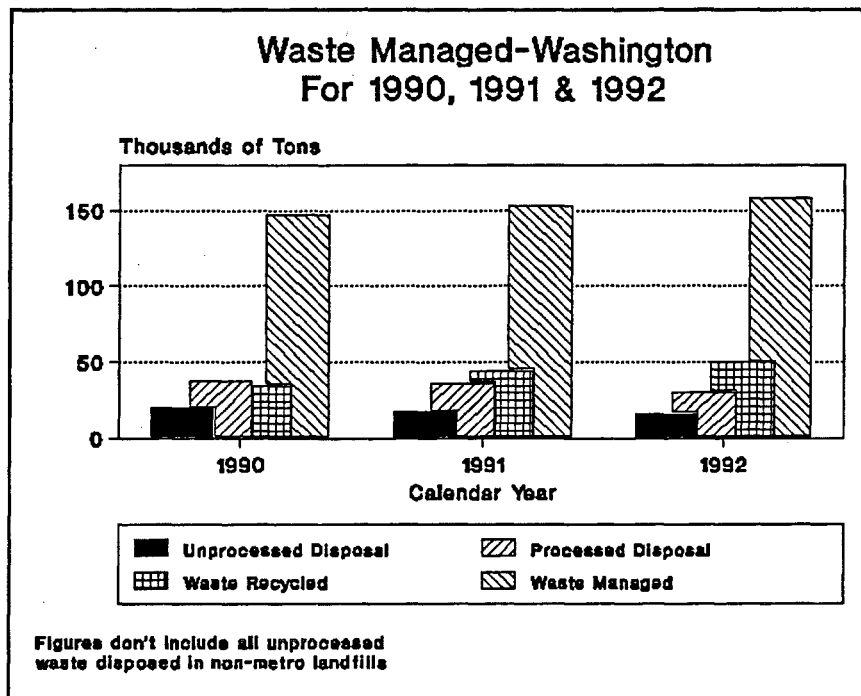
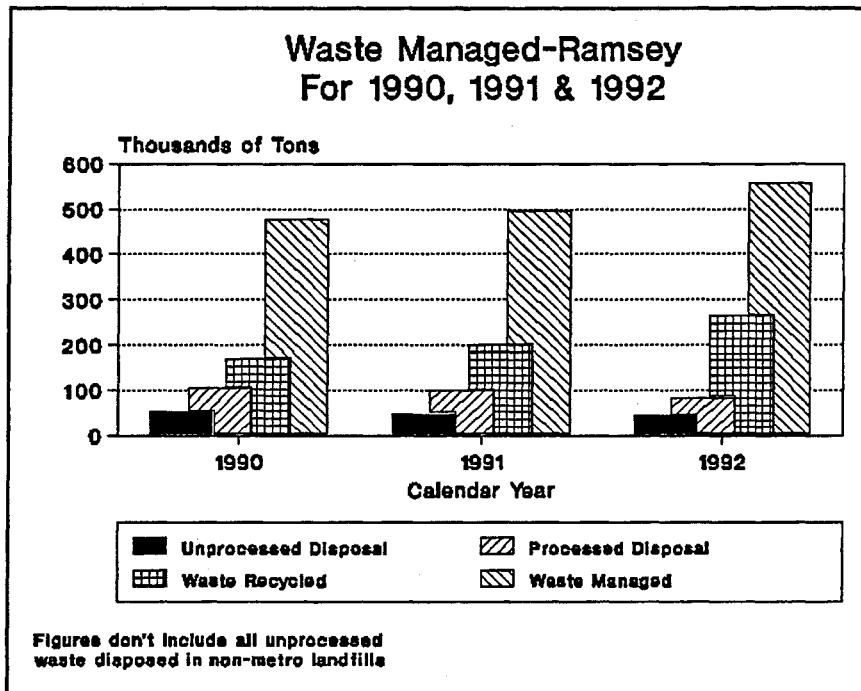
The Counties and NSP have been exploring residue management for several years, and NSP has added equipment to further process residue. Depending on the character and quantity of residue that remains after that system is fully operational, the Counties and NSP may explore other processing opportunities in the system for that material. NSP began operating the system in August 1992, and is continuing to make modifications to the residue processing system. Ramsey and Washington Counties have requested that NSP present proposals for managing the unprocessable portion of the waste stream and for further reducing excess waste. NSP has made regular updates to the Counties on preparing these proposals. One option under consideration is an oversize bulky waste shredder. NSP is also seeking ways to increase combustion capacity in existing powerplants. To do this, NSP is evaluating the densification of RDF, in order to expand into the alternate RDF markets.

The recent Federal Court of Appeals ruling on designation is cause for concern. If counties cannot control the flow of waste out of the State, it will be difficult to ensure that waste is processed and that

State environmental goals are met. This could also hinder efforts to improve processing efficiency at the Resource Recovery Facility. Support from the Metropolitan Council on Federal legislative efforts could be helpful."

4. Progress in reducing the amount of unprocessed waste.

The estimated volume of unprocessed waste that proceeded through Ramsey & Washington Counties' MSW management system decreased during the period when compared to 1991. No information was provided on disposal patterns of waste other than MSW.



Scott County

1. The quantity of waste generated in the county that was not processed prior to transfer to a disposal facility.

Scott County estimated that approximately 54,000 tons of MSW were managed in 1992. It is estimated that 21,702 tons of unprocessed MSW was managed by land disposal facilities.

2. The reason(s) why the waste was not processed.

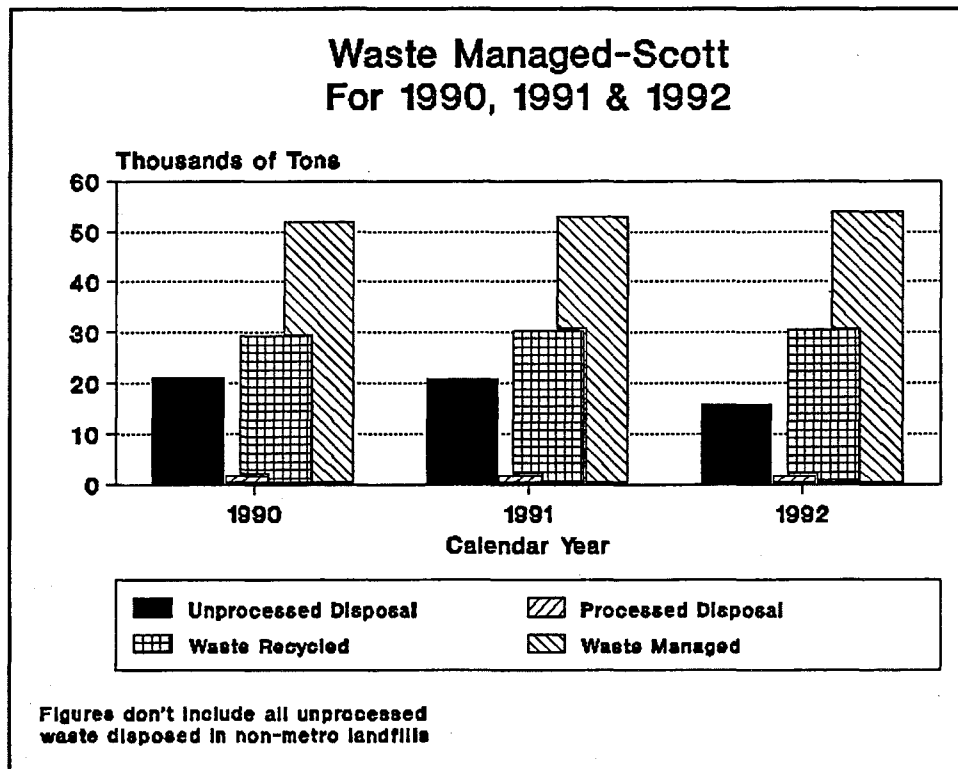
Scott County reported the waste was not processed due to the lack of a designated central processing facility in the county.

3. The strategy and timetable for the development of techniques to ensure processing of waste.

Scott County reports that it is currently negotiating with several groups to pursue available waste processing capacity. The arrangement being negotiated would offer possible access to HERC, NSP-Elk River, NSP-Newport and Wright County processing facilities on an available capacity basis. Scott County is expected to make a decision in 1993 and begin to direct waste to a chosen processing facility as soon as possible via whatever arrangements are available.

4. Progress in reducing the amount of unprocessed waste.

The estimated volume of unprocessed waste increased slightly during the period.



CRITERIA ANALYSIS

The first two waste certification criteria address the counties reported results and efforts to reduce unprocessed MSW landfill disposal. The next two criteria address the commitment of metro counties to reduce landfilling and their progress toward achieving the Council's landfill policies as outlined in the Solid Waste Policy Plan. These commitments must address the strategies that will be pursued to successfully achieve landfill abatement goals.

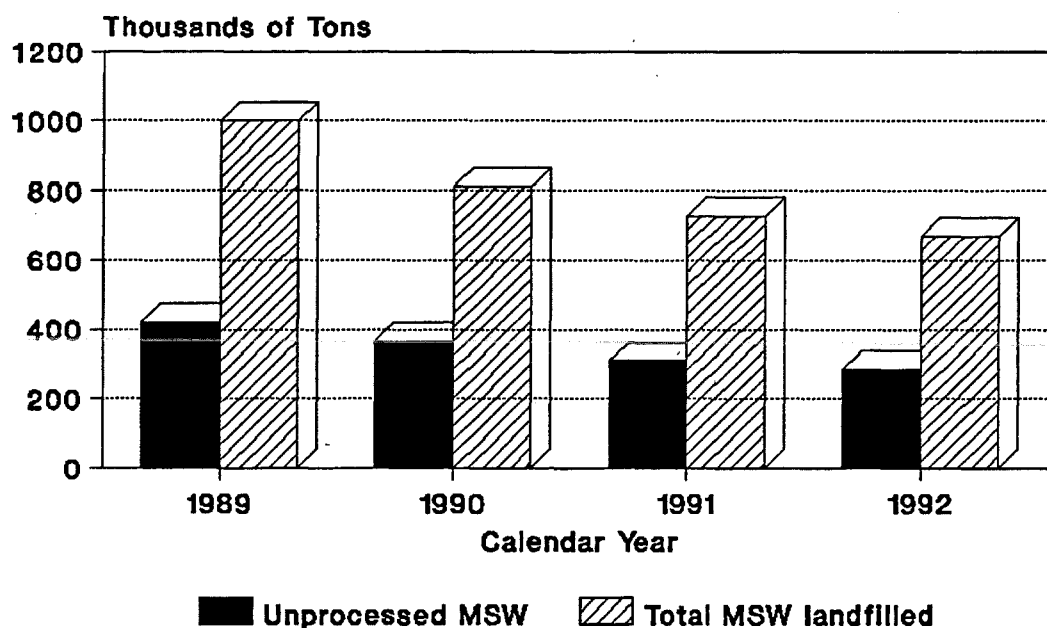
CRITERIA 1 - COMPARISON OF WASTE DISPOSED WITH PREVIOUS PERIODS

Unprocessed waste disposal in landfills appeared to be continuing a declining trend during the last report period despite the fact that no new processing facilities were established. The volume of processed waste disposal declined slightly in conjunction with the variations in intake and operations at reported facilities. The table that follows summarizes the report information. The figure that follows this table illustrates the estimated disposal trend.

Table 1 COUNTY MSW MANAGEMENT & LAND DISPOSAL, 1990 - 1992								
1990	Anoka	Carver	Dakota	Hennepin	Ramsey	Scott	Washington	Totals
MSW Managed	222,741	40,945	278,205	1,321,237	476,759	52,000	146,936	2,538,823
Separate Waste	7,424	1,460	8,386	31,458	14,801	1,763	4,445	69,737
Reject Disposal	10,303	0	0	17,075	39	0	15	27,432
Residual Disposal	19,712	0	0	110,298	51,177	0	18,928	200,115
Ash Disposal (wet)	26,550	0	0	140,080	38,842	0	14,366	219,838
Processed Disposal	63,989	1,460	8,386	298,911	104,859	1,763	37,754	517,122
Unprocessed Disposal	0	22,516	192,959	56,297	52,553	21,002	19,437	364,764
MSW Disposal	63,989	23,976	201,345	355,208	157,412	22,765	57,191	881,886
1991	Anoka	Carver	Dakota	Hennepin	Ramsey	Scott	Washington	Totals
MSW Managed	222,100	43,000	280,000	1,337,820	495,353	53,000	153,138	2,584,411
Separate Waste	7,577	1,503	8,612	31,661	14,880	1,822	4,591	70,646
Reject Disposal	3,405	0	0	7,916	106	0	39	11,466
Residual Disposal	24,829	0	0	85,967	42,191	0	15,605	168,592
Ash Disposal (wet)	27,638	0	0	154,341	42,454	0	15,702	240,135
Processed Disposal	63,449	1,503	8,612	279,885	99,631	1,822	35,937	490,839
Unprocessed Disposal	0	23,422	172,661	27,033	47,135	20,836	17,434	308,521
MSW Disposal	63,449	24,925	181,273	306,918	146,766	22,658	53,371	799,360
1992	Anoka	Carver	Dakota	Hennepin	Ramsey	Scott	Washington	Totals
MSW Managed	230,456	48,380	283,962	1,382,775	558,575	54,000	157,926	2,716,074
Separate Waste	7,577	1,503	8,612	31,661	14,880	1,822	4,591	70,646
Rejects Disposal	4,632	0	0	4,974	46	0	0	9,652
Residuals Disposal	21,322	0	0	72,813	22,588	0	8,355	125,078
Ash Disposal (wet)	26,592	0	0	159,803	46,444	0	17,178	250,017
Processed Disposal	60,123	1,503	8,612	269,251	83,958	1,822	30,124	455,393
Unprocessed Disposal	0	27,717	160,990	16,067	42,781	21,702	15,823	285,080 ²
MSW Disposal	60,123	29,220	169,602	285,318	126,739	23,524	45,947	740,473

1. Separate Wastes are tonnage estimates of oil, tires, batteries and major appliances that are land disposed.
2. There is at least an additional 4,625 tons of unprocessed MSW disposed of outside the region that is not attributed to a single county.

County Managed Waste Disposal For 1989, 1990, 1991 & 1992



Does not include metro waste violating
county waste designation ordinances

CRITERIA 2 - EFFORTS TO SEEK ALTERNATE PROCESSING CAPACITY

The solid waste produced by the region includes mixed municipal solid waste, special wastes, construction and demolition waste, non-hazardous industrial waste and hazardous waste. With the exception of hazardous wastes, which are managed under separate and specific state and federal programs, the counties are required by state law to plan for the management of all solid waste generated. However, under state law solid waste can be designated (required to go) to resource recovery facilities for processing. Although much of the waste that fit the definition of solid waste may potentially be processible, counties are only required to develop processing capacity for mixed municipal solid waste and are not currently required to manage other solid waste.

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A comprehensive network of facilities is needed to effectively manage the solid waste and recoverable materials generated or disposed of within the region. The Council put in place in the 1985 and 1991 solid waste policy plans a facility development schedule that is designed to assure a management option for 50 percent of MSW and special waste generated by 2000. The other 50 percent of MSW is to be handled by recycling efforts by 2000. In 1985 only one 80-ton-per-day mixed municipal solid waste processing facility was operating in the region. In 1993 the region has five operating resource recovery facilities capable of processing a total of 3,850 tons of MSW per day or approximately 48 percent of the MSW projected in the Council's MSW generation forecast. Since the 1991 solid waste policy plan emphasizes regional cooperation with joint county implementation of programs and facilities, the development schedule does not prescribe specific locations for facilities. The location decisions are most appropriately made by the counties.

Table 2
FACILITY DEVELOPMENT SCHEDULE

MIXED MUNICIPAL SOLID WASTE COMPOST	<u>DATE</u>	<u>ANNUAL AMOUNT</u>
Scott/Carver Counties	1992	53,850 tons
Undetermined	1995	110,150 tons
RDF REJECT AND RESIDUAL COMPOST		
Accessible to RDF Plants	1995	165,000 tons
INCINERATION		
Dakota County	1993	234,000 tons
LANDFILL		
Undetermined	1994	8,726 acre feet
Undetermined	2000	10,000+ acre feet

Table 2 shows the Council's waste processing facility development schedule. The schedule's two components consist of a list of specific, and in some cases suggested, configurations of facilities and waste processing capacity requirements. The Council's facility development schedule indicates that processing capacity to handle Scott/Carver wastes were to have been developed in 1992. The facility development schedule also shows that waste processing capacity to manage Dakota County MSW should be developed by the end of 1993. It is unlikely that either of these two facilities will be able to meet the Council's development schedule.

Carver and Scott County report that due to recent court decisions that undermined waste designation ordinances, they are independently requesting vendors to provide proposals for privately-owned and operated facilities to manage their unprocessed wastes. Regarding the Scott/Carver processing strategy, executing any type of waste processing agreement will delay implementation of the Council's processing schedule for Scott/Carver Counties until 1995.

Dakota County is currently conducting a re-evaluation of its waste management strategies. They plan to have a decision by the end of 1993 to continue with the development of the permitted mass burn facility or implement other types of waste processing strategies. Implementation of Dakota's decision on a waste management strategy will delay the Council's processing schedule until possibly 1996.

Hennepin, Ramsey and Washington County, while meeting the Council's processing development schedule, continue to landfill unprocessed MSW that enters their waste management systems, although at a lesser rate than previous years. Hennepin County, in 1992, land disposed 15,800 tons of unprocessed MSW from their waste transfer facilities. This represents a 60 percent reduction from the previous year. The Ramsey/Washington Resource Recovery Facility reported landfilling 58,845 tons of excess waste, 10 percent less than what was reported in 1991. While this is an improvement, continued landfilling of unprocessed MSW shows that the region needs to develop an integrated system to locate and transport MSW to regional facilities (and possibly outside the region).

Despite the amounts of unprocessed waste reported as land disposed during 1992 and Council projections for continued growth in the solid waste stream, the additional MSW compost capacity and regional landfill capacity scheduled in 1994/1995 is not being planned. The Council's intent in scheduling development of these facilities were to provide waste processing capacity for materials best managed through composting (food waste and RDF processing residuals and rejects) and landfilling. The Council, through its waste abatement account funds, financed and participated in a solid waste composition study that identified food waste as being 13 percent of the MSW sent to waste processing and disposal facilities. In 1992, there were 125,078 tons of RDF residuals disposed of in regional landfills. Composting these types of waste would accomplish several objectives: it would reduce the amount of

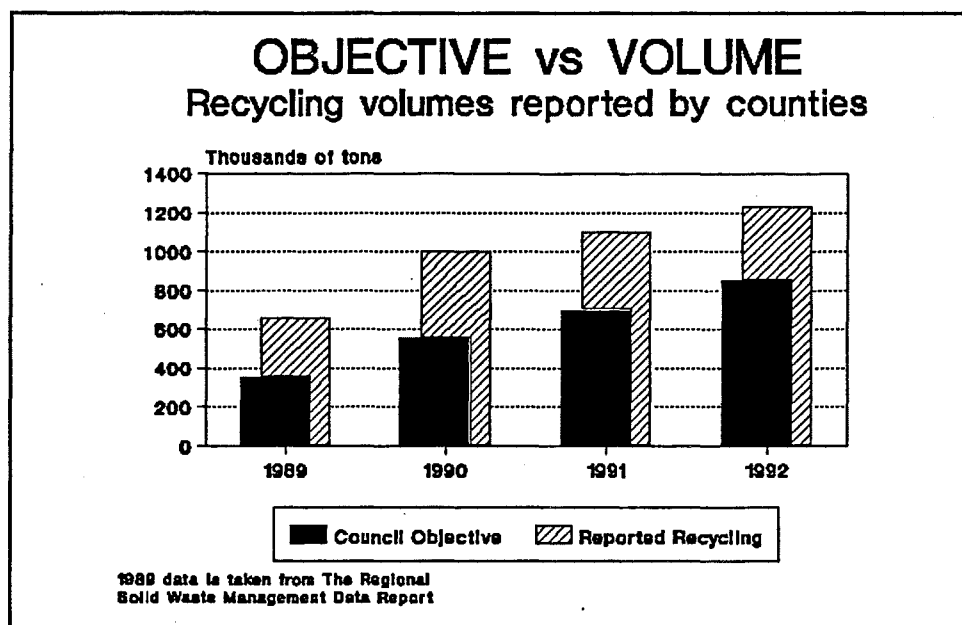
waste entering processing facilities, thus increasing their capacity to accept other regional waste streams; it would reduce the amount of waste sent to disposal facilities, thus extending their capacity and; it would support the legislative mandate to process MSW consistent with the waste management hierarchy.

Certification reports must be comprehensive to evaluate potential system changes. Ideally they should address all wastes that could become subject to the mandated restriction on disposal. Better data is important because distinction between MSW, non-MSW and separated waste streams can change based on the constituents of the waste and the capability of the facilities where waste can be managed. The Council will continue to work with counties on procedures for expediting reporting of unprocessed waste of all types. Counties currently have the authority to expand their designation ordinances, with Council approval, to manage non-MSW materials. County cooperation in gaining and sharing information on non-MSW waste streams reported in conjunction with waste disposal and processing facility licenses is important to provide the oversight anticipated in waste designation and certification authority.

CRITERIA 3 - COMMITMENT TO REDUCE DISPOSAL BY USING ALTERNATE METHODS

The Council, as stated in its solid waste policy plan, has moved toward a regional waste management system. Specific abatement objectives for solid waste (recycling, processing and land disposal) are most appropriately set for the region rather than for individual counties. The success of the regional waste management system in reducing disposal of unprocessed wastes will be determined by the metro counties' progress in implementing the Council's goals and policies which emphasize waste reduction; increasing recycling volumes through regional cooperation (collection, processing and marketing); processing of MSW and non-MSW materials (composting, RDF production and mass burn); secondary processing of RDF rejects and residuals; development, through governance or other tools, of an integrated, cost effective and environmentally sound regional approach to solid waste management; and adherence to the principles of the waste management hierarchy to process materials at their highest levels (food waste being composted rather than incinerated for example).

The Council's regional recycling objective for 1992 was 853,500 tons or 30 percent of the MSW the Council had forecast would be generated. The counties reported that residents and businesses recycled 1,232,200 tons of materials in 1992. In 1991 the counties reported that region recycled 1,098,167 tons of materials. This represents a 12 percent increase over the previous year or an additional 134,000 tons of recycled waste materials. Due to waste stream growth, materials recovery will have to increase to approximately 1,617,000 tons to meet the goal for 2000.



The Council's policy plan suggests that continued expansion of source separation initiatives is not likely to succeed in reaching the 50 percent recovery goal for 2000. Although current reports of recycling is much higher than expected, new regional commitments and cooperation will be necessary to change the system in order to increase material recovery (recycling) accomplishments. Several collection techniques, such as commingled recycling, weight-based fees, co-collection of materials (recycling and waste discards collected in the same vehicle) and regional organized collection service, should be analyzed and, if feasible, implemented on a regional level. Commingled recycling would simplify recyclable separation for generators, streamline the transportation of recyclables from the curbside and allow trained personnel and modern equipment to respond to the dynamics of market requirements. Weight-based fees for collection of the remaining garbage would provide economic incentive to separate more of the waste stream for recycling. Recycling programs throughout the region should be moving toward collecting, processing and marketing the same materials no matter where residents live or work. Currently, many municipalities place restrictions on what materials can be collected for recycling. This is mainly due to the type of contract that was negotiated by the city for MSW and recycling collection. The numerous restrictions that are placed upon certain materials collected for recycling are not based upon if the material can be marketed, but whether the city's budget for collection can accommodate that material type in its negotiated package with the hauler(s) assigned to collect its waste. Regional cooperation and integration of waste services, including the collection and marketing of recyclables, are necessary in order to develop an efficient and cost-effective waste management system to meet recycling objectives for the year 2000.

The achievement of Council recycling objectives may be misleading if metro counties continue to report increases in recyclable volumes without systematic reality checks. Presently no mechanism or analysis exist that provides feedback on the amount or magnitude of regional materials sent to recycling markets. In lieu of such feedback, counties continue to report that volumes of recyclable materials, specifically commercial and industrial wastes, have substantially increased over the previous year without any type of verification. A study may be needed to ascertain the amount of recycled materials that are marketed regionally and statewide. This information is also necessary in order to plan for adequate regional processing and disposal capacity if recycling markets are not able to manage those materials.

In addition to recycling, waste processing through mass burn and RDF production is instrumental in abating unprocessed wastes from landfills. The region's network of processing facilities received 1.24 million tons of waste. This represents 46 percent of the MSW the counties reportedly managed in 1992.

Counties with waste designation authority have relied primarily on contracts to direct waste flows between facilities with capacity to receive "acceptable" waste. Consequently, MSW that is not acceptable to regional facilities, possibly due to its size or inherent characteristics, is land disposed. Certification reports in 1992 from counties with designation ordinances fail to provide enough information to determine the actual volume of this type of unprocessed waste disposal. In fact, counties with designation ordinances assert that no unprocessed MSW generated in these counties was landfilled. This assertion is a misnomer. In reality, counties with designation ordinances fail to provide, or may not be able to fully document, the amount of "unacceptable" MSW that is land disposed. Further efforts by Anoka, Hennepin, Ramsey and Washington Counties to monitor this type of waste are warranted for an effective, integrated waste management system. As plant modifications occur at regional processing facilities in order to accept different waste streams, knowledge of the characteristics and amounts of "unacceptable" MSW materials are needed. Also, monitoring need to address all solid waste to verify whether land disposed wastes are MSW and subject or potentially subject to certification or designation.

Carver, Dakota and Scott share a responsibility to plan and implement additional waste processing strategies through public and/or private initiative. These waste processing strategies should complement and integrate with existing facilities to more flexibly adapt to changing waste management needs. This further illustrates the need for metro counties to plan for and work within an integrated regional authority that can monitor and adjust accordingly to the market forces that affects the waste management industry.

Dakota County indicates that a waste processing strategy will be in place by the end of 1993. Any strategy that Dakota chooses to implement will also further delay the availability of waste processing capacity planned by the Council in its projections. This will further permit significant amounts of waste to be landfilled and thus reduce regional landfill capacity. While improvement has been made in Carver and Scott County to abate MSW disposal through source reduction and recycling, neither county has initiated the Council's scheduled processing capacity. As with Dakota County, any processing strategy that Scott and Carver County selects will delay implementing Council policy as it relates to abatement of MSW and effective waste management.

CRITERIA 4 - COMMITMENT TO ACHIEVE THE COUNCIL'S LANDFILL LIMITS

The Council's primary focus of solid waste management is the abatement of waste disposed in landfills. The amount of regional waste that is disposed of in landfills is the key indicator of how well the counties are progressing toward implementing the Council's goals and policies. The solid waste policy plan includes regional maximum limits for MSW land disposal as listed in table 3. Disposal limits do not include ash; demolition/construction; or industrial wastes tonnages.

Table 3
Metropolitan Area Solid Waste Disposal Limits

<u>Year</u>	<u>Disposal Amount (in tons)</u>
1990	1,437,000
1991	1,270,800
1992	1,104,600
1993	938,400
1994	772,200
1995	606,000

Table 4 states the amount of waste generated and disposed of in landfills in and near the Metro Area during 1992 was 573,950 tons. This data was gathered from county certification reports, MPCA, Department of Revenue, regional processing facilities and landfill operators from outside the Metro Area. This volume is a little more than half of the Council's 1992 disposal limit, but it does not give a complete picture of disposal because waste continues to be exported, and the surcharge payments do not accurately reflect the actual weight records.

Evidence has shown that waste generated in the Metropolitan Area is not always managed and/or disposed of within the region. Until regional processing facilities were developed, waste traditionally was disposed of at landfills that presented the least cost to the hauler. Facility development, statutes restricting disposal of unprocessed MSW and waste designation ordinances have prevented a majority of haulers from continuing to dispose of unprocessed waste at landfills with the lowest cost. A significant number of haulers continue to dispose of unprocessed waste in landfills located in and near the region which do not report to the metro counties. Currently, haulers that collect waste in Carver, Dakota and Scott Counties may take waste to regional processing facilities, disposal facilities that meet MPCA guidelines, or landfills located outside the state. A Dakota County hauler in 1992 disposed of over

16,000 tons of MSW in a landfill located in Dickinson County, Iowa. Other haulers, including those licensed in counties employing waste designation ordinances, are taking waste to disposal facilities located in Wisconsin and the Dakotas. In the near future, the number of haulers landfilling unprocessed metro waste in the surrounding states may increase due to recent court decisions on waste designation ordinances. This further emphasizes how important it is that the Metropolitan Area be able to monitor and document solid waste trends and issues in order to develop strategies that are flexible to adapt to the legislative and market decisions that affect us today and in the future.

Table 4
Metro Waste Disposal Comparisons - 1991, 1992

Table 4 Metro Waste Disposal Comparisons - 1991, 1992				
Metropolitan Area	1991		1992	
	Dept. Of Revenue ₁	MPCA Report ₂	Dept. of Revenue	MPCA Report
Anoka	46,598	102,089	88,012	64,297
Burnsville	96,781	103,986	108,607	117,755
Pine Bend	291,217	315,745	149,777	176,393
Woodlake	49,433	50,597	141,010	140,935
Sub-total	484,029	572,417	487,406	499,380
Greater Minnesota	Metro Unprocessed Disposal ₃	Metro Processed Disposal	Metro Unprocessed Disposal	Metro Processed Disposal
Elk River	26,411	37,562	13,000	28,055
McLeod	27,919	21,489	1,540	251
Ponderosa	16,430	0	0	0
Rice	8,452	0	0	0
Tellijohn	12,285	0	0	924
Yonak	34,113	506	0	0
Sub-total	125,610	59,557	14,540	29,230
Out-of-State	Metro Unprocessed Disposal	Metro Processed Disposal	Metro Unprocessed Disposal	Metro Processed Disposal
Dickinson Co. Ia.	n/a	0	16,704	0
Winneshiek Co. Ia.	n/a	0	n/a	0
Sub-total	0	0	16,704	0
Total ₄	669,196		547,880	
1. Dept. of Revenue figures are based on a \$2/c.y. fee that regional MSW landfills pay for waste disposed. 2. Tonnage data, including material conversion factors, on regional and out-state landfills are from the MPCA. County records are used to gather data on processing residuals disposed of outside the Metro Area. 3. Estimates of unprocessed waste disposed outside the region for 1991 & 1992 were gathered using surveys. 4. Dept. of Revenue figures were used to calculate the total waste disposed.				

FINDINGS OF FACT AND CONCLUSIONS

1. Specific findings relating to each county report are as follows:

a. Anoka County should certify waste as unprocessable that goes to landfills from private transfer stations. It should report estimates or other information on waste that was denied access to the processing facility. The county should also provide estimates of the amounts of MSW not processed at the facility and disposed of on-site or at landfills in and near the region. The County should provide generation and management information on county-generated non-MSW, demolition and non-hazardous industrial waste.

b. Carver County should complete the entire waste certification form that was sent by the Council. It should report the volumes and destinations of all its waste streams, including non-MSW, demolition and non-hazardous industrial wastes.

c. Hennepin County should certify county-generated waste that goes to landfills from private transfer stations as unprocessable. The County should report the estimated amounts of their non-MSW, non-hazardous industrial and demolition wastes disposed of in landfills in and outside the region. Hennepin County should also report estimated amounts of waste that was granted "departmental exception" from facility processing. The county needs to report estimates and the final destination of waste that was not processed (escaped county waste designation authority) but was disposed of in landfills located in and near the region. This estimate must also include waste that was disposed of on-site.

d. Ramsey and Washington Counties should report supplemental information on non-MSW, demolition, non-hazardous industrial and incinerator ash disposal from the county. Ramsey and Washington Counties should report the landfill destination of materials disposed of by the NSP-Newport processing facility. The Counties should also report the estimated amounts and the destination of waste that were granted an exemption from being processed at the facility. The county needs to report estimates and the final destination of waste that was not processed (escaped county waste designation authority) but was disposed of in landfills located in and near the region. This estimate must also include waste that was disposed of on-site.

e. Scott County should report on supplemental information on non-MSW, demolition and industrial wastes disposal from the county.

2. The region appears to have reduced the amount of waste disposed of compared to the previous reporting periods. Dramatic increases in recycling have contributed greatly to this reduction in disposal. However, no estimates or information was provided by the counties in their reports on the amount and destinations of waste that by-passed the network of facilities that exist in the region. In fact, Anoka, Hennepin, Ramsey and Washington Counties admit that only certain "acceptable" MSW materials are processed at their facilities. Thus, any MSW that is deemed "not acceptable" is disposed of as unprocessed waste.

3. The Council's facility development schedule indicates that waste processing capacity to manage Scott and Carver Counties MSW should have been developed in 1992. The facility development schedule also shows that processing capacity to handle Dakota's MSW should be developed by the end of 1993. If Carver and Scott County develop any type of waste processing agreement, it shall delay implementation of the Council's processing schedule until at least 1995. Dakota County is currently conducting a reevaluation of its waste management strategies. They plan to have a decision to continue with the development of the permitted mass burn facility or implement other types of waste processing strategies. Dakota asserts that a decision regarding implementation of a waste management strategy will be reached by the end of 1993. Implementation of Dakota's decision on a waste management strategy will however delay the Council's processing schedule until possibly 1996. Even though Anoka, Hennepin, Ramsey and

Washington County are meeting the Council's processing development schedule, they continue to landfill (to a lesser degree than previous reports) unprocessed and processed MSW that enters their waste management systems. In addition, it is important to note that no regional composting initiative is being pursued. This further delays the Council's processing development schedule for management of RDF residuals and food waste.

4. Although reported land disposal volumes are well within specified limits, continued attention is warranted. Reports should document the volume of waste not sent to processing facilities prior to disposal. Wastes that could be disposed as MSW in the future should also be reported. The counties should establish operational monitoring measures to identify the actual volumes of land disposal and assure that waste is not land disposed if processing capacity is reasonably available. This further illuminate the fact that there does not exist an regional authority capable of monitoring, developing and/or implementing strategies to manage in an integrated manner, the region's diverse waste stream and waste processing byproducts. The Council should continue to negotiate with the counties to implement specific techniques to reduce unprocessed waste. Waste streams in counties with few or no processing facilities operating or under development are the most immediate concern. As the basic system components are completed, the focus should increasingly shift to facility reject and residual management and other materials that could affect MSW land disposal.

RECOMMENDATIONS

That the Metropolitan Council:

1. Adopt this staff report including the findings of fact and conclusions.
2. Approve the waste certification reports of Anoka, Dakota, Hennepin, Ramsey, and Washington counties.
3. Disapprove the report of Carver and Scott counties.
4. Advise each county that they are expected to report the information indicated in finding # 1 of the Findings Of Fact And Conclusions. Each county must document, in its solid waste management master plan and future certification reports, specific programs designed to achieve the 50 percent materials recovery goal for 2000. Carver, Dakota and Scott counties will have to continue demonstrating progress on implementation of scheduled resource recovery facilities and promote the full utilization of available processing facilities in the interim or initiate appropriate contingency plans.