

# Position Paper for Legislation on Solid Waste Management

---

## PROPOSED LEGISLATION

The Metropolitan Council proposes legislation:

- To require all Metropolitan counties to submit reports to the Council certifying that all wastes are processed if possible; and,
- To clarify the definition of processing to exclude waste transferred directly from a resource recovery facility or transfer station to a landfill.

## WHY ACTION IS NEEDED NOW

The proposed legislation is required because the counties that have enacted a "designation" ordinance, are not currently required to certify that they have made their best efforts to process all the waste in the county. Under the current certification law and definition of processing, a county can claim all the waste in the county is processed even though no physical change has occurred. The waste that has been "processed" may be landfilled by a county that has enacted designation without any reporting or further consideration.

Most of the waste generators in the region live in areas that are covered by designation, but the amount of waste that is still landfilled is much higher than the designation plans have indicated. The region has a real need to assess the actual level of landfill abatement being achieved under "waste designation."

Without the changes in legislation, a large volume of waste that has not been recovered for reuse or energy may be landfilled. The landfilling of these wastes will exhaust remaining capacity in landfills sooner than predicted.

Furthermore, the practice is inconsistent with the fundamental principles of Council solid waste policy.

## BENEFITS

With the revised definition of processing and the requirement that all counties certify that they are doing all they can to process waste, the Council will be able to monitor waste management in the region more closely and help counties achieve the regional goals.

## WHAT NEEDS TO BE DONE

Solid waste planning, consistent with regional system planning, dictates that all wastes be processed if there is a facility capable of processing the waste. The counties are not currently doing all they can to avoid landfilling waste. The certification reports will provide the Council with accurate current data as the system develops, in order to assess its success and encourage greater regional cooperation.

**Metropolitan Council**

**March 1991**

---