



April 16, 2018

Ginny Black, Chair  
Minnesota Composting Council  
11410 49<sup>th</sup> Place North  
Plymouth, MN 55442

Governor Dayton  
130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

RE: Opposition to HF3606/SF3135, HF3814/SF3252 and HF2282/SF1940

Dear Governor Dayton,

The Minnesota Composting Council (MNCC) is a member driven non-profit dedicated to advancing the recycling of organic materials in Minnesota. To support our composters and recyclers in the State, we encourage you to veto any tax bill that contains the language in [HF3606/SF3135](#), [HF3814/SF3252](#) or [HF2282/SF1940](#). The language in these bills aim to prohibit counties, cities and towns from locally managing auxiliary containers including reusable and single-use food-service items, limits local governments from adding taxes or fees on containers used for transporting, protecting or consuming food and allows a rebate of the SW tax for recyclables and organic materials removed from the mixed municipal waste stream for recycling or composting.

The MNCC objects to limiting local government ability to set regulations, taxes or fees that are aimed at reducing contamination in their recycling and source separated organics composting stream. Taking these tools away from Local government will assure greater contamination in these two recycling streams and decrease the value of the materials for remanufacture.

In 2014, the State legislature increased the statewide recycling rate to 75% by 2030 for the Twin Cities Metro Area and 35% for counties in Greater Minnesota by amending [115A.551](#). Increasing the

Minnesota Composting Council  
[www.mncompostingcouncil.org](http://www.mncompostingcouncil.org) | [compostmn@gmail.com](mailto:compostmn@gmail.com)

statewide recycling goal reaffirms the State's desire to manage materials according to the Solid Waste Management Hierarchy and the economic, environmental and social benefits provided to the state by the composting and recycling industries. The [State's 2015 Solid Waste Policy Report](#) describes the Solid Waste Management Hierarchy and the importance of collecting organics for composting to meet the increased goal. Adoption of a bill limiting local units of government ability to put fees or bans on auxiliary containers directly contradicts these previous actions of the Minnesota legislature and undermines the jobs created, waste diverted, pollution prevented and other environmental benefits of composting and recycling in the State.

The inability to regulate these non-recyclable and non-compostable containers will harm the recycling and composting industries as more contaminants will reach these facilities which increases their processing and disposal cost and in the case of composting lowers the price they can command for their finished product because of contamination.

These increased costs are passed directly done to program participants resulting increased costs for municipal recycling programs and resulting in the production often result in compost that cannot be sold.

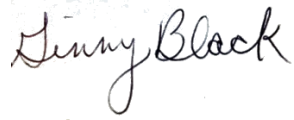
Ordinances, such as the Green to Go ordinance in Minneapolis and the Zero-Waste Packaging ordinance in St. Louis Park which require food to be served in refillable, reusable, recyclable, or compostable packaging help reduce customer confusion, reduce contamination at composting and recycling facilities, and are helping these Cities increase their diversion rate, thus helping the state move closer to its recycling goal.

Additionally, the [Minnesota Pollution Control Agency's 2013 waste characterization](#) found that up to 40% of what the average Minnesotan throws away are items that could have been composted. It verifies that programs that divert food and compostable food-service items must be established to be able to meet the State's goal. The Sustainable Packaging Coalition has found that more food is diverted for composting when the food-service container is compostable. Without the ability to limit auxiliary containers to only those that are easily and feasibly recyclable or compostable in our local waste management system, compost facilities may be hesitant to accept food-service containers in their operations due to likely contamination. This could limit the expansion of the composting industry in Minnesota overall.

Adopting any bill limiting local government control of acceptable packaging would directly contradict and inhibit the State from meeting its goals and continuing to be the environmental leader that it is today - with low contamination rates in both our recycling and organics recycling programs. We highly encourage you to veto these bills and any alterations thereof that would inhibit local units of government from regulating auxiliary containers or implement a tax of fee on containers.

Please feel free to contact us at [compostmn@gmail.com](mailto:compostmn@gmail.com) if you have any questions or would like supporting documentation for our comments. Thank you and we hope you continue to support the recycling and composting industries in Minnesota.

Sincerely,

A handwritten signature in cursive script that reads "Ginny Black". The signature is written in black ink on a white background.

Ginny Black  
MNCC Chair

cc: Representative Hornstein  
Minnesota Pollution Control Agency Commissioner Stein