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House File 3078 amends the requirements of applications made by cities, counties, solid waste management districts and sanitary districts to the Minnesota Pollution Control Agency for financial assistance to develop and implement solid waste management projects that provide alternatives to waste disposal, including waste reduction, recycling, and waste processing.

The bill adds language requiring that applications for assistance address two issues: the preference for private ownership of solid waste management facilities, and the protection of existing facilities from displacement by newly built facilities. Statutes currently require these issues to be addressed in solid waste management plans required of different government agencies. For example, regional and local plans are directed as follows:

“The plans shall, to the extent practicable and consistent with the achievement of other public policies and purposes, encourage ownership and operation of solid waste facilities by private industry. For solid waste facilities owned or operated by public agencies or supported primarily by public funds or obligations issued by a public agency, the plans shall include criteria and standards to protect comparable private and public facilities already existing in the area from displacement unless the displacement is required in order to achieve the waste management objectives identified in the plan.” (section 115A.46, subdivision 1, paragraph (f))

Identical language applies to the metropolitan long-range policy plan for solid waste management (section 473.149) and metropolitan county solid waste plans (section 473.803, subdivision 1).

This bill requires applicants for financial assistance to analyze how the proposed facilities address these issues. Applicants are required to evaluate the use of available capacity at existing facilities that may accomplish some or all of the goals of the proposed project and how they have balanced objectives in

regional and county plans that can only be achieved through public ownership of solid waste facilities with the requirement of those plans to encourage private ownership and not displace existing facilities.

The bill also requires applicants to send a copy of the funding application to all solid waste facilities mentioned in their analysis addressing these issues.