

RESOLUTION

By Cashman, Ellison, Wonsley, Chowdhury, Koski, Payne, Osman, and Chavez

Supporting a plan for closure of the Hennepin Energy Recovery Center (HERC) located in downtown Minneapolis.

Whereas, the Hennepin Energy Recovery Center (HERC) is an incinerator that burns garbage in Downtown Minneapolis, at 505 N 6th Ave; and

Whereas, Hennepin County owns and operates the HERC and is responsible for its closure; and

Whereas, on October 24, 2023, the Hennepin County Board unanimously passed a Board Action that directs the HERC's closure as early as 2028; and

Whereas, HERC burns approximately a thousand tons of trash every day and uses it to produce steam that provides heat to the downtown Minneapolis district energy system and Target Field, and generates an estimated 200,000 megawatt hours of electricity every year that is sold to Xcel Energy; and

Whereas, Hennepin County contracts with Great River Energy HERC Services, LLC (GREHS) for the management, operation, and maintenance of HERC and the current contract terminates December 31, 2025; and

Whereas, more than 230,000 people live within three miles of the HERC, disproportionately low-income and Black, Indigenous, and people of color compared to the rest of Minnesota; and

Whereas, Minneapolis, Hennepin County, the state of Minnesota, and the United States have committed historical and ongoing acts of environmental racism, including polluting Black and Indigenous neighborhoods and other communities of color; and

Whereas, incinerators around the country have been identified as examples of environmental racism, with community concerns of HERC's contributions of increased rates of asthma, heart and lung disease, cancer, and early death due to air pollution; and

Whereas, the HERC is located just outside the Northside Green Zone and the Minnesota Pollution Control Agency acknowledges the impacts to residents near waste-to-energy facilities and landfills and that the past siting of facilities disproportionately impacted disadvantaged communities; and

Whereas, on average, more than 200 trucks every weekday drive to and from the HERC to deliver waste to the facility, and nearly another 100 over each weekend bringing additional pollution to the area in the form of diesel exhaust and tire emissions; and

Whereas, the HERC is one of the largest permitted sources of nitrogen oxide, hydrogen chloride emissions, dioxins, lead, sulfur dioxide, and particulate matter; is a large permitted source of volatile organic compounds (VOCs); and is the county's third largest permitted source of carbon dioxide while in operation in Hennepin County; and

Whereas, Hennepin County estimates that about 75% of the trash delivered to HERC comes from Minneapolis residents (22%) and businesses (53%); and

Whereas, Minneapolis declared racism to be a public health emergency in 2020 and declared a climate emergency in 2021, acknowledging the need for action on a massive scale to deal with and reverse the climate crisis; and

Whereas, in 2015 Minneapolis set an aspirational goal to recycle and compost 80% of its waste by 2030 and approved a Zero Waste Plan in 2017 that stated that the HERC's waste-to-energy was not "an applicable method for achieving its zero waste goal"; and

Whereas, policy 75, Waste Reduction, of the Minneapolis 2040 plan identifies 22 actions steps that the city will take to "maintain and expand opportunities to reduce waste and properly dispose of waste to meet the City's zero-waste goals"; and

Whereas, in 2023, the City of Minneapolis passed its Climate Equity Plan, which aims for an "environmentally just, resilient, low-carbon and equitable City," committed to "repair past environmental injustices perpetrated upon Indigenous, Black and Communities of Color, and create solutions for a sustainable, inclusive economy"; and

Whereas, in 2022, the Minneapolis Waste Characterization & Capture Rate Study found that two-thirds of the trash from single-family homes sent to the HERC could be recycled, composted, or otherwise diverted; and

Whereas, the Hennepin County Zero Waste Plan identifies actions that need to be taken to achieve a 77-83% diversion rate; and

Whereas, the city of Minneapolis Solid Waste & Recycling Division of Public Works is already a leader in the County for its voluntary residential recycling, organics recycling, and large item recycling collection programs. Furthermore, the Division continues to evaluate programs and initiatives to increase diversion such as developing a recycling transfer station in North Minneapolis and increasing participation in the recycling and composting programs; and

Whereas, the Minnesota 2040 Clean Energy Bill removed HERC as a source of renewable energy; and

Whereas, the county's Zero Waste Plan states it will "transform the waste management system to a future where all materials are designed to become resources for others to use," and defines zero waste as preventing 90% or more of all discarded materials from being landfilled or incinerated;

Now, therefore, be it resolved that the Minneapolis City Council supports a full and permanent closure of the incinerator at Hennepin Energy Recovery Center no later than December 31st, 2027 and the closure of the entire facility by December, 31st, 2033.

Be it further resolved that the Minneapolis City Council will facilitate such a closure through implementing solid waste diversion and reduction measures as quickly as possible; monitoring changes in waste disposal costs and minimizing impacts on low-income residents and renters; and planning for potential liability given solid waste management regulations established by the United States Environmental Protection Agency, Minnesota Pollution Control Agency, and Hennepin County.

Be it further resolved that the Minneapolis City Council will support negotiating contracts, contingent on the closure of the HERC, for the hauling and disposition at landfills of waste that would remain following implementation of recycling, composting, and other waste reduction measures.

Be it further resolved that the Minneapolis City Council supports a reparative framework and process for determining the future use of the HERC site that will justly benefit residents and small businesses in the communities that have been impacted by the HERC.

Be it further resolved that the Minneapolis City Council supports a review of related city ordinances, including 174.435. – Recycling at commercial buildings and Article VI. – Recycling at Buildings Having Two or More Dwelling Units to explore how they could better support waste reduction and the closure of HERC.

Be it further resolved that the Minneapolis City Council supports the development of pilot programs to study the feasibility of zero waste programs, including mandatory participation in the residential recycling program and active enforcement of City ordinances for businesses and multi-units; more robust drop-off opportunities for residents to divert and recyclable and compostable material; and increased outreach and education to promote such programs.

Be it further resolved that the Minneapolis City Council supports implementing the City's Zero Waste Plan, prioritizing strategies identified as having the greatest increased diversion potential, developing methods to track progress towards zero waste goals, and establishing dedicated funding sources for cross-departmental implementation by at least Public Works, Health, Community Planning and Economic Development, and Regulatory Services.

Be it further resolved that the Minneapolis City Council requests that the Health Department coordinate with Hennepin County staff and, as needed, other parties to better understand the role that HERC plays in the current energy system and what the impacts would be to the energy system without the energy that is currently being provided by the HERC.

Be it further resolved that the Minneapolis City Council supports Hennepin County in securing alternative funding for natural resources and climate action programming in the absence of HERC electric and material sales, planning and financing the repurposing of the HERC site.

Be it further resolved that the Minneapolis City Council supports Hennepin County in developing and implementing a just transition for the labor force currently employed at the HERC and other labor connected to HERC, ensuring that workers are brought along in the shift towards a carbon-free solid waste management system.

Be it further resolved that the Minneapolis City Council requests that the Minnesota State Legislature support zero waste efforts, namely, increasing the amount dedicated to SCORE funding, redirecting all SCORE funding to go to recycling, waste reduction, and problem materials management programs; authorizing municipalities to enact a special tax, like a Clean Community Fee; and simplifying the process outlined in MN Statutes 115A to allow organized waste collection.